

THE FIRST TEST: MADISON'S STRATEGY, THE CONSTITUTION, AND
THE WAR OF 1812

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ABSTRACT

The Constitution provides the basis for American civil-military relations. From the colonial period onward, fear that a regular standing army would become a tool for despotism shaped both the organization of defenses and the structure of the Constitution. The Founders recognized the tension between liberty and security and did their best to ensure both.

In the United States, the discipline of civil-military relations long has focused on civil control of the military. Seemingly, 230 years absent a military coup have demonstrated civil control of the military is secure. Not surprisingly, scholars have turned to other facets of civil-military relations to understand better the relationship between the government and its military arm. In the wake of recent events in Afghanistan and Iraq, some scholars have examined the link between civil-military relations and making effective strategy.

One argument recently advanced is that a strict interpretation of the Constitution will alleviate many of the problems recently encountered—wavering public support for current engagements and seemingly flawed strategies. One historical case study to test the relationship between strict construction and strategy is the War of 1812, the first war declared under the Constitution.

To examine the relationship between the civil-military relations and the strategy of the war, this paper will trace the ideological and experiential background of the nation; examine the portions of the Constitution related to security, defense, and war-making; describe the security concerns and foreign policy considerations of the United States leading into the war; and finally, examine how the shape of the government and other internal factors influenced President Madison's ability to wage war. What will emerge is a picture of disunity and chaos in spite of a Congressional endorsed declaration of war.

While some may argue that the contemporary US military has radically altered since the period from 1812 to 1815, the Constitution remains in place as the bulwark of the nation. While this case study will reveal that strict construction cannot guarantee sound military strategy, it will highlight the effect of popular support and political ideology on a war declared and fought in accordance with Constitutional principles. These lessons serve to highlight the importance not only of linking political objectives with military strategy, but also of understanding the multitude of factors in addition to the Constitution that shape American civil-military relations.

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Introduction

The discipline of civil-military relations encompasses a wide range of topics related to the relationship between the civil authority of a government and its military arm. In the United States, because of traditions of liberalism and a historical mistrust of a standing army, and the resulting nature of the Constitution, scholars tend to focus on the issue of civilian control of the military. Other areas of civil-military relations include, but are not limited to, the level of militarization of society, the professionalism of the military, and the organization of military services.

Samuel P. Huntington's *The Soldier and the State* has dominated civil-military literature since its publication in 1957. Huntington's theory attempts to reconcile a military strong enough to enact any military action civilians ask with a military subordinate enough to do only what civilians authorize.¹ Huntington espouses the theory of objective civilian control. A military free from civilian interference will develop professionalism. Professionalism will ensure the military is an effective fighting force and subordinate to civilian authority. In short, Huntington asserts that objective control is a requirement for maximum military professionalism and minimum military political power.²

The most prominent alternative to Huntington's theory of objective control is sociologist Morris Janowitz's theory of subjective civilian control. While Janowitz wrestles with the same issue of military strength and subordination, he predicted the military would evolve into a constabulary force that would become highly politicized, resembling Huntington's less-than-ideal state of subjective control. To counter the challenge of politicization, Janowitz determined that military officers'

¹ Peter D. Feaver, "The Civil-Military Problematique: Huntington, Janowitz, and the Question of Civilian Control," *Armed Forces & Society* 23, issue 2 (Winter 1996): 149-178.

² Samuel P. Huntington, *The Soldier and the State. The Theory and Politics of Civil-Military Relations* (Cambridge, MA: Harvard University Press, 1957), 84-85.

professional ethics—self-esteem, professional standards, and acceptance of civilian values—will ensure civilian control.³

As the debate over the best way to ensure civilian control over the military has matured since the 1950s, other authors have come forward with additional frameworks to explain the relationship. To better explain behavior during the Cold War and beyond, political scientist Peter D. Feaver postulated a principal-agent framework to explain how the principal, in this case civilian authority, controls the behavior of a subordinate actor, the agent (the military). An alternative to Huntington's normative theory, Feaver's principal-agent framework continues to focus on values and identity, but as a method grounded in rational choice theory, it accounts for additional variables like the cost of monitoring, incentives, and fear of punishment.⁴

Lately, there has been a renewed effort to expand understanding of civil-military relations beyond civilian control, especially to explain the perceived strategic failures of Iraq and Afghanistan. Naval War College professor Mackubin T. Owens criticizes the field for its myopic focus on civilian control. He offers that the "issue of civilian control means very little if the military instrument is unable to ensure the survival of the state." His focus, instead, is on how the current nature of civil-military relations has created a dearth of strategic thinking. In his critique, he questions the acceptance of Huntington's objective control as the best practice for civilian control. Objective control theory has allowed military leaders, in violation of Clausewitz's concept of military force as an extension of politics by other means, to divorce themselves from policy making. They foster devotion to the idea of an "exit strategy" as opposed to thinking about "war termination"—how to convert military success into political success. In the context of the current conflicts, this aversion

³ Morris Janowitz, *The Professional Soldier: A Social and Political Portrait* (Glencoe, IL: The Free Press, 1960), 420, 440.

⁴ Peter D. Feaver, *Armed Servants. Agency, Oversight, and Civil-Military Relations* (Cambridge, MA: Harvard University Press, 2003), 12-15.

to post-conflict planning and stability operations has undermined the development of sound strategy.⁵

Hew Strachan reframed the importance of mastering civil-military relations, not to counter the threat of a military coup, but rather to ensure the development of coherent strategy. He, too, critiques Huntington's objective control as artificially separating military action from policy. Strachan advocates the reassertion of Constitutional controls over the executive, through Congress exercising its oversight and other powers, particularly the power to declare war. Additionally, congressional involvement ensures that military leaders are further integrated by exercising their responsibility of reporting to Congress. He also favors a reintegration of armed forces and society to ensure multi-agency approaches to modern warfare. Strachan predicts inter-agency cooperation will be vital to future limited wars and practiced cooperation through integration of agencies will lead to better solutions.⁶

Following Strachan's line, Lieutenant Colonel Paul L. Yingling addresses declining popular support for the wars in Afghanistan and Iraq and the limits of executive authority. Yingling advocates a return to a strict interpretation of the Constitution as a method for defining civil-military relations, and by extension, resolving the challenges of current engagements. He asserts that the system of checks and balances ensures "that we chose our wars carefully and prosecute them intelligently." In particular, he advocates that Congress must reassert its authority to ensure strong legislative oversight over war-powers decisions. His conclusion is that because the power to declare war is entrusted to Congress, a declaration of war represents popular support of military action, thus ensuring the appropriate funding and enthusiasm to wage war.

⁵ Mackubin T. Owens, "Civil-Military Relations and the U.S. Strategy Deficit." E-mail to FPRI mailing list (23 February 2010), <http://www.fpri.org/enotes/201002.owens.civilmilitaryrelations.html>.

⁶ Hew Strachan, "Making Strategy: Civil-Military Relations after Iraq." *Survival* 48, no. 3 (Autumn 2006): 59-82.

Yingling also advocates a return to the citizen-soldier model of the eighteenth century. He goes so far to say that the Founders “did not expect that America would ‘go to war with the Army we have’ but rather that Congress would raise the Army we need to prosecute carefully thought out war aims to a successful conclusion.” The mobilization of “militia” forces would give Congress time to deliberate strategy and war aims. The use of citizen-soldiers, like the reassertion of Congressional war powers, is designed to ensure popular support of wars.⁷ In this analysis, Yingling is overly reductionist in two ways: first, in his assumption that strict construction will ensure the US only enters into widely supported wars; and second, that spreading the burden of war over a larger portion of the population will ensure Congress executes its powers more responsibly and thereby ensure a popular war. Those conclusions are not supportable in and of themselves, but it is equally erroneous to assume that strict construction with or without popular support will ensure sound strategy.

The emergence in current civil-military relations literature of a call for a stricter adherence to Constitutional principles, especially with respect to limiting executive authority and reinvigorating Congress, opens the door for an interesting examination. One of the primary authors of the Constitution, James Madison, was the president, and therefore the Commander-in-Chief, during the first declared war fought under the Constitution—the War of 1812. Perhaps no other American statesman had as much invested in following Constitutional practices; not only to justify Constitutional form, but also to preserve the Constitution for later generations. Thus, the War of 1812 becomes a good choice to illustrate the Constitution as the basis for civil-military relations in the United States, as well as the influence of both the

⁷ Paul L. Yingling, “The Founders’ Wisdom.” *Armed Forces Journal* (February 2010), <http://www.armedforcesjournal.com/2010/02/4384885>.

Constitution and the nature of civil-military relations on strategy making.

Madison's actions were certainly shaped by his and Congress' Constitutional authorities, but ideological convictions, partisanship, and the continuing contest between state and federal powers affected his ability to wage war. Personality and administrative capacity played equally important roles as well. An examination of the decision to declare war and then the first series of campaigns in 1812 will demonstrate the influence of the above-mentioned factors on shaping civil-military relations and strategy making.

Additionally, an examination of traditional American attitudes towards an army will serve to demonstrate the influence of the liberal tradition on the country's war-making process. Furthermore, the transition from the Articles of Confederation to the Constitution will demonstrate early statesmen's attempts to understand and meet their security challenges while ensuring the civil liberties of the citizenry. Tracing the evolution of the post-Revolution military as well as describing the national security issues of the Early Republic demonstrates how differing party values and interpretations of the Constitution shaped the size of the army, foreign policy decisions, and ultimately, the declaration of war against England. The process of declaring war and the first campaign season in the conflict further illuminate the relationship between civil-military affairs and strategy making, in this case specifically, that strict adherence to Constitutional provisions guaranteed neither a popular war nor a coherent strategy. Finally, a brief summary of the two decades after the War of 1812 will demonstrate the changing attitudes toward a regular military, military professionalism, and the clarification of Constitutional powers. A brief outline of the war will be useful to frame the era under examination.

The United States declared war against England on 18 June 1812. The war declaration cited British violation of American neutral rights

represented by the Orders in Council and the practice of impressment. In reality, tension between the two countries had been building since American independence and was generally exacerbated by the European conflicts that pitted England against France. Armed conflict in the War of 1812 between the United States and England took place in three theaters of operations; the northern theater including the American Old Northwest (from which the states of Ohio, Indiana, Illinois, Michigan, Wisconsin, and Minnesota were formed) Upper Canada (now the southern portion of the province of Ontario including York (Toronto) and Kingston) and Lower Canada (the area around Montreal, the lower region of the St Lawrence River and the shores of the Gulf of St Lawrence), the Atlantic theater which stretched from Maine to Virginia, and a southern theater which encompassed the territory along the Gulf of Mexico from Florida to Louisiana. Additionally, there were engagements between naval forces of the two countries at sea. This paper focuses on the northern frontier and the opening campaigns of 1812 as the best examples of the challenges Madison faced in waging the war.

Some consider the American victory over British-supported Indians at the Battle of Tippecanoe in November 1811, to be the opening engagement of the War of 1812. The first military action after the formal declaration of war took place near Detroit and ended in the surrender of Detroit to the British in August 1812. Subsequent invasion attempts into Canada along the Niagara frontier in October and a push against Montreal in November practically stalled before they started. The planned campaign to invade and occupy Canada ended in failure.⁸

The results of 1813 were at least mixed. Americans suffered further setbacks near Detroit at the River Raisin Massacre in January. However, American forces were able to raid York and occupy it for a few weeks as well as repel British attacks at Sackets Harbor, New York.

⁸ David S. Heidler and Jeanne T. Heidler, *The War of 1812* (Westport, CT: Greenwood Press, 2002), 58-63.

While Sackets Harbor cost the Americans control over Lake Ontario, success on Lake Erie allowed the Americans to enter into Upper Canada. American success was highlighted by victory at the Battle of the Thames in October, which allowed troops in the Northwest to retake Detroit and the surrounding region. Campaigning along the Niagara frontier and the Lake Champlain-Montreal region was less successful and those areas remained vulnerable to British invasion.⁹

The greatest change to the war came in 1814 following Napoleon's defeat when veteran English troops flowed to North America to assist the cause. Control of the Great Lakes yielded a relative stalemate—Lake Erie remained in American hands, Lake Ontario was up for grabs, and there was no American naval presence on Lake Huron. On the Niagara frontier, Americans scored a victory along the Chippewa River and fought the British to a stalemate at Lundy's Lane. British attempts to seize Fort Erie from August to September forced the American commander to evacuate and thus ended further attempts to invade Canada. In September, the British attempt to invade New York failed when American naval forces won the Battle of Plattsburgh Bay on Lake Champlain. Fighting in the northern theater left the frontier devastated, but two other engagements, despite their strategic insignificance, would become synonymous with the War of 1812.

In August 1814, the English sacked and burned Washington DC. Disagreement between the President and the Secretary of War over the strategic importance of Washington led to an ill-planned defense policy. Militia forces assigned to guard the capital did little to stop the British march from Bladensburg, Maryland to Washington. The rout of the militia and its subsequent retreat was derisively called the "Bladensburg Races." The sack of Washington was inarguably the low point of the war. A staunch defense of Baltimore prevented the British from achieving total

⁹ Heidler and Heidler, *The War of 1812*, 74-85.

victory in the Chesapeake Bay and provided the inspiration for Francis Scott Key's composition of the "Star Spangled Banner."¹⁰

The Treaty of Ghent ended the war. It was signed 24 December 1814 and the war officially ended on 17 February 1815 when the two countries exchanged ratifications. In the interim, American ground and naval forces defeated a British invasion attempt in Louisiana at the Battle of New Orleans. This last victory captured the American imagination and elevated its commander, General Andrew Jackson, to hero status. Although the Treaty of Ghent secured none of the pre-war objectives and was little more than an agreement to return to the *status quo antebellum*, it became popular for its supporters to cast it as a second war for independence.¹¹

There are several ways to approach a study of the war. The central figure of the conflict was President James Madison. All of his biographies discuss his ideological development and his role in the decision to take the country to war. Henry Adams' history of the United States portrays Madison as ill-suited for the presidency, much less for military command. This attitude—that Madison was tricked into war either by France or by the War Hawk faction of the Republican Party—is reflected in many general writings about the war period. Irving Brant's six volume work, *James Madison*, is very sympathetic to Madison. Robert Rutland's *The Presidency of James Madison* admits that he was guilty of listening to bad advice, but does credit Madison for being a decisive leader, well-aware of his course of action. Most recent scholarship opines that Madison may have been inexperienced with war and overly optimistic about a quick invasion of Canada, but demonstrates that his decision to take the country to war was deliberate and a logical extension of his earlier endorsement of policies built around

¹⁰ Donald R. Hickey, *The War of 1812: A Forgotten Conflict* (Urbana, IL: University of Illinois Press, 1989), 221-254.

¹¹ J.C.A. Stagg, *Mr. Madison's War. Politics, Diplomacy, and Warfare in the Early American Republic* (Princeton, NJ: Princeton University Press), 301-317.

economic coercion. This point is best demonstrated in J.C.A. Stagg's *Mr. Madison's War*.

Although called by historians "the forgotten war," no shortage of volumes examining causation or providing operational narratives exists. Among the most accessible single volumes are John K. Mahon's *The War of 1812* and Donald Hickey's *The War of 1812*. Henry Adams' *The War of 1812*, a single-volume synthesis of his larger work, is largely a starting point for the period. Furthermore, two encyclopedias, Robert Rutland's *James Madison and the American Nation*, and David and Jeanne Heidler's *Encyclopedia of the War of 1812*, provide detail on key persons, events, political ideologies and entities, as well as voting records and other useful details. Although not addressed in this thesis, the naval history of the war has been addressed in classic works by Alfred Thayer Mahan and Theodore Roosevelt. Contemporary scholars such as David C. Skaggs and Donald E. Graves continue to study the naval aspects of war and the Naval Historical Center has published three of a projected four-volume collection of documents covering all aspects of naval war during the War of 1812.

As an insight to the origin of civil-military relations, Stagg's book provides an integrated look at the war as a culmination of the Early Republic's experiment with republicanism. He approaches diplomacy, party politics and ideology, federal-state relations, internal dissent and early methods for mobilizing the population for war. While not necessarily classified as a book on civil-military relations, the subjects he addresses lie at the core of the field. Reginald C. Stuart's recent publication, *Civil-Military Relations in the War of 1812*, explicitly examines Federalist and Republican Party ideologies and their impact on military affairs.

Additionally, there is a wide variety of primary sources. The University of Virginia has information about the Papers of James

Madison Project on the university website, and select documents of the published seventeen-volume *Congressional Series*, the eight-volume *Secretary of State Series*, and the five-volume *Presidential Series* are available online. Other Madison papers are available in the Library of Congress and the *Annals of Congress* and *American State Papers* are available on the Library's website. In addition to Madison's writings, several other key figures left behind personal collections, including Thomas Jefferson; Albert Gallatin; Generals William Hull, Winfield Scott, and James Wilkinson; and the notable Republican Henry Clay.

Chapter 1

Pre-Constitution

Our governments were framed in the moment of turbulence and war—hasty productions on the spur of exigency, they can only be considered as the necessary but temporary instruments, to work out the revolution.—Their most enlightened framer viewed them at their formation, but as the foundations of permanent systems, to be reared in peace and tranquility.—Six years experience has now unfolded their imperfections and defects, and the acknowledgement of our independence has developed prospects, which (pending the contest) were obscured by the clouded uncertainty of the event.

James Madison, 1783

The American military tradition has often been called a dual military tradition. The American colonial experience and ideological heritage reflected a great faith in the effectiveness of citizen soldiers—the militia—to provide security. Alternatively, the experience of the American Revolution led a great many political and civic leaders to place a renewed emphasis on the need for a regular army. Understanding the heritage and experiences of colonial settlers, the frustrations of the American Revolution, as well as the first experiment with a national government under the Articles of Confederation, lays the groundwork for understanding the emergence of the Constitution and the difficulties of making war in a democratic republic.

Traditions

The attitudes of the citizens of the early American Republic reflected an antimilitarist sentiment. Antimilitarists view war and armies as necessary evils, but regard a large military establishment and conscript armies as threats to the civil institutions of government.

Further shaped by the Enlightenment principles of liberalism and capitalism, people believed in a coming era of peace and believed standing armies to be an unjustified burden on society. It is paradoxical that the assertion of rights and liberties of man was followed by his regimentation and conscription for military services to preserve those same liberties.¹

American habits of civil supremacy and opposition to a standing army stem from its English origins. The militia, as opposed to a standing army, was the backbone of the English military organization, a tradition that can be traced back to Alfred the Great in the ninth century. Landowners who held tracts of a certain size were obligated to provide and equip one soldier to protect the land. When not on active service, the warrior was expected to train and maneuver with others to practice cohesive action. This preceded the American tradition of select units of citizen soldiers. In 1181, Henry II issued the Assize of Arms, which required able-bodied men to keep weapons to employ in the service of the King. One hundred years later, Edward I bolstered the Assize with the Statute of Winchester in 1285, which defined two roles for what had become known as the militia: first, to defend England, and second, to maintain internal law and order.²

As the power of Parliament gradually increased, militia statutes began to reflect the rights of individuals. The statute of 1327 restricted militia service to within county-of-origin boundaries, unless England herself was invaded. In an attempt to train citizen soldiers, Elizabeth I instituted peacetime musters in 1573.³ The 1628 Petition of Right was a notable parliamentary effort to protect civil society against military dominance. In their petition, the English people protested King Charles's policy of martial law, army impressments, and billeting troops among the

¹ Arthur A. Ekirch, Jr., *The Civilian and the Military* (New York: Oxford University Press, 1956), vii-viii.

² John K. Mahon, *History of the Militia and the National Guard* (New York: Macmillan, 1983), 7; Ekirch, *The Civilian and the Military*, 4.

³ Mahon, *History of the Militia and the National Guard*, 7-9.

inhabitants. Formal written protests against Oliver Cromwell's military regime further affirmed that no person was to be impressed for military service in a foreign war. The Glorious Revolution of 1688 paved the groundwork for permanent parliamentary authority over the military—Parliament was granted the power to raise and maintain military forces, although command and appointments remained the prerogative of the Crown.⁴ At the end of the seventeenth century when the Crown tried to establish a standing army to oppose France, intense opposition from Parliament resulted in safeguards designed to limit the ability of the Crown to abuse its military power. The standing army was established, but with the stipulation that the Mutiny Act, which authorized its support, would be re-enacted annually.⁵

The Colonial Period

The militia system that emerged in the British North American colonies reflected the English experience. In response to Indian assaults in 1607, the Jamestown settlement in Virginia organized a citizen-soldier manned defensive system. By 1622, the colony was organized well enough to launch a series of raids and reprisals against the forces of Opechancanough, chief of the Indian Confederation of the Tidewater area. The reprisals led to the First Tidewater War from 1622 to 1632 and culminated in the Second Tidewater War from 1644 to 46. Although the fighting exacted heavy tolls on colonial society, Opehancanough's death secured white expansion in the region. Similar conflicts between the English settlers in New England that resulted in the Pequot War in 1627 and King Philip's War in 1675 did not completely eliminate the Indian threat, but established that white settlers would dominate the area.⁶

⁴ Ekrich, *The Civilian and the Military*, 5-6; Samuel P. Huntington, *The Soldier and the State* (Cambridge, MA: Harvard University Press), 36.

⁵ Ekrich, *The Civilian and the Military*, 4-6.

⁶ Allan R. Millet and Peter Maslowski, *For the Common Defense. A Military History of the United States of America* (New York: The Free Press, 1984), 12-16; Michael D. Doubler, *Civilian in Peace, Soldier in War. The Army National Guard, 1636-2000* (Lawrence, KS: University Press of Kansas, 2003), 10-18.

European conflicts between the English, French, and Spanish involved the American colonies in a series of wars between 1689 and 1783. Militias responded to local threats and colonial legislatures commissioned officers to lead provincial troops—volunteers, draftees, substitutes, and hirelings that came from the militia—for military operations beyond their borders. The capture of the French fortress of Louisbourg in 1745 during King George’s War, part of the War of Austrian Succession in Europe, was a demonstration of the war-fighting capability of provincial troops.⁷

The capture of Louisbourg left an interesting legacy. The English were willing to rely on militia and provincial forces to capture a strategically important target, the fortress at Louisbourg. At the conclusion of the war, the English were successful in exchanging Louisbourg for Madras, which the French had captured in India. While this met the strategic objectives of the British, it did not meet the local security needs of the colonists. The actions of the crown reinforced the colonists’ mistrust of a central power controlling the military arm and its ability to place national interests above local interests.

Reliance on militias was part of the antimilitarist philosophy of the colonies. This sentiment was also reflected in several state constitutions written in the 1770s and 1780s. Virginia and Pennsylvania included in their respective state constitutions resolutions that allowed for the people’s right to bear arms for the defense of the state. New York, New Hampshire, and others included provisions for conscientious objectors. Even during the Revolution, several states proposed changes to the language of the proposed Articles of Confederation to bar peacetime standing armies. To hasten approval of the Articles, however, the power to establish a standing army in peacetime was neither specifically prohibited nor specifically granted. This reluctance to provide a more

⁷ Doubler, *Civilian in Peace, Soldier in War*, 21.

efficient military establishment, even during the fighting of the Revolutionary War, evidences deeply ingrained opposition to the concentration of military power.⁸

The Revolution

As the colonists of British North America fought for independence, their British roots emerged in the conflicted support of the Continental Army. Out of necessity, the Continental Congress created a regular force, the Continental Army. Throughout the war, the Continental Army fought side-by-side with militia units temporarily under General George Washington's control and was complemented by separate state militia and irregular troops that remained under state control. The extensive use of locality-based militia forces ensured enemy armies met some sort of opposition wherever they went. The creation of a regular army ensured Congress could legally circumvent militia parochialism and order forces—the Continental Army—beyond the boundaries of any particular colony. Both militia forces and the Continental Army were essential to prosecuting the Revolutionary War. However, the emergence of a regular army did not come without challenges.⁹

From the inception of the Continental Army, Congress sought to ensure legislative ascendancy over the Army. Congress's instructions to General George Washington emphasized his subordination to Congress and the expectation for him to make regular reports. Congress retained the authority to appoint key line and staff officers. Washington's experience in the Virginia Assembly and Congress, as well as his personal commitment to liberal principles, made him well suited to command this particular army. He worked within his Congressional mandates and responded to Congressional directives as ordered.¹⁰ His commitment to the citizen-soldier ideal laid the groundwork of trust for a

⁸ Ekrich, *The Civilian and the Military*, 13-15.

⁹ Millet and Maslowski, *For the Common Defense*, 53-61; Ekrich, *The Civilian and the Military*, 12.

¹⁰ Russell F. Weigley, *History of the United States Army*, (New York: Macmillan, 1967), 30; Millet and Maslowski, *For the Common Defense*, 58.

future standing army, but did not alleviate chronic manpower shortages during the war.

Enlistments for the Continental Army lagged manpower requirements for the duration of the war. James Wilson of Pennsylvania specifically opposed army enlistment for the duration of the war on the grounds longer enlistment would perpetuate the danger of a standing army.¹¹ Even when Congress reconsidered its position and offered increased bounties of \$20 plus 100 acres to serve the duration of the war or \$10 for a three-year enlistee, the Army had to compete with widespread preference to serve in local militia units, and in some cases, states offered their own bounty.¹² To supplement the ranks of the Continental Army, the Congress authorized short-term levies of militias. The constant turnover made estimating manpower levels nearly impossible and ensuring a well-trained and equipped force was equally difficult. For some, the difficulty of raising and training an effective fighting force solidified the importance of a standing army. For others, the essential nature of the militia over the course of the war reinforced the militia tradition and left the need for a regular army further open to question.

Articles of Confederation

The nation formally adopted Articles of Confederation in March 1781. Following the conclusion of the Revolutionary War with Peace of Paris in 1783, the Confederation demobilized the Continental Army. Even before the peace treaty was signed, Congress found itself considering peacetime military problems when New York and Pennsylvania requested help securing their frontiers against the Indians.¹³ James Madison of Virginia, a member of the committee appointed by Congress to look into

¹¹ Edmund C. Burnett, *Letters of Members of the Continental Congress* (Washington, DC: Carnegie Institution of Washington, 1921-1936), I: 360-361; Ekrich, *The Civilian and the Military*, 12.

¹² Weigley, *History of the United States Army*, 40.

¹³ Richard H. Kohn, *Eagle and Sword. The Beginnings of the Military Establishment in America* (New York: The Free Press, 1975), 40-41.

a peacetime military establishment, was uncertain that Congress had the necessary powers to establish such an entity.¹⁴ Nevertheless, despite his and others' reservations, the committee accepted suggestions for reform.

The most notable recommendation came from General Washington in the form of his "Sentiments on a Peace Establishment." Washington consolidated the recommendations of officers and advisors who served under him to persuade Congress of the necessity of a regular military establishment. While he acknowledged the importance of a militia, he asserted that militia forces were effective only with uniform arms, equipment, and organization amongst the states. Militia units were capable of preserving the peace, but regular units were needed to resist unexpected foreign incursions. Washington's plan centered around "a small, tightly organized national army backed by magazines, arsenals, and educational facilities that would not only support the regulars but also provide the arms equipment, supplies, and technical expertise for the larger forces sure to be needed in wartime."¹⁵ Congress rejected Washington's suggestions, accepting only the necessity of small garrison forces to deal with frontier issues. By 1784, all that remained of the former Continental Army—technically disbanded—were 600 artillery and infantry troops under the command of Henry Knox.¹⁶

By 1787, a movement began to revise or replace The Articles of Confederation. The Articles were vulnerable in large part because of oppressive debt, a worsening economy, and the perception that the government under the Articles of Confederation was unable to defend the United States. One delegate to the Constitutional Convention offered a succinct criticism of the Articles' failings:

1. Congress unable to prevent war

¹⁴ Ekrich, *The Civilian and the Military*, 20-21.

¹⁵ Kohn, *Eagle and Sword*, 48.

¹⁶ Kohn, *Eagle and Sword*, 52, 41.

2. Not able to support war
3. Not able to prevent internal sedition or rebellion...¹⁷

At the end of the Revolutionary War, Congress reduced the Continental Army to 720 men drawn from state militias. At the end of the one-year authorization, Congress voted to sustain the unit, thereby laying the groundwork for the regular army.¹⁸ Military action under the Articles, however, revealed the weakness of the Confederation in providing security. Its failure was highlighted by Shays' Rebellion.

In 1786, Revolutionary War veteran Daniel Shays led Massachusetts farmers burdened by debts and taxes in a revolt against the national government. Congress authorized an expansion of the army, but ultimately proved powerless to intervene. Although Massachusetts volunteers eventually quelled the rebellion, the event was used as evidence of the impotence of the Continental Congress.¹⁹ The nationalists perceived the problem as a structural one—"it was not clear that the Confederation government could defend the United States, prepare the country for conflict, or on a continuing basis safeguard American borders and interests."²⁰ The changes incorporated into the Constitution were made to address these concerns.

¹⁷ Richard H. Kohn, "The Constitution and National Security," in *The United States Military under the Constitution of the United States, 1789-1989*, edited by Richard H. Kohn (New York: New York University Press, 1991), 63-64.

¹⁸ Mahon, *History of the Militia and the National Guard*, 47.

¹⁹ Millet and Maslowski, *For the Common Defense*, 87.

²⁰ Kohn, "The Constitution and National Security," 68.

Chapter 2

The Constitution

Not the less true is it, that the liberties of Rome proved the final victim to her military triumphs; and that the liberties of Europe, as far as they ever existed, have, with few exceptions, been the price of her military establishments. A standing force, therefore, is a dangerous, at the same time that it may be a necessary, provision. On the smallest scale it has its inconveniences. On an extensive scale, its consequence may be fatal. On any scale, it is an object of laudable circumspection and precaution. A wise nation will combine all these considerations; and, whilst it does not rashly preclude itself from any resource which may become essential to its safety, will exert all its prudence in diminishing both the necessity and the danger of resorting to one which may be inauspicious to its liberties.

*James Madison, The Federalist No. 41,
1788*

The Constitution was the end result of several formal and informal attempts to address the weakness of the Articles of Confederation. As early as 1785, representatives from Maryland and Virginia met at Mount Vernon to discuss commercial and economic cooperation between the two states. In a subsequent effort to expand interstate commerce, delegates from nine states met at the Annapolis Convention in 1786. Since New England, Georgia, and the Carolinas went unrepresented, Alexander Hamilton of New York proposed another convention meeting in Philadelphia to consider all measures necessary “to render the constitution of the Federal Government adequate to the exigencies of the Union.”¹ What began as a convention to revise the Articles of

¹ George B. Tindall and David E. Shi, *America: A Narrative History* 6th ed. (New York: W.W. Norton, 2004), 279.

Confederation evolved into the four-month convention, from which emerged a brand new Constitution.

The Constitution drafted by the members of the Constitutional Convention consisted of carefully crafted compromises approved by only the thinnest of majorities.² As the charter of the American government, it defines and determines how the country defends itself. As historian Richard Kohn summarizes, “it authorizes the institutions created for national security, the structure in which those institutions and their people operate, the process by which the institutions interact with each other, and the overall manner in which the nation is expected to prepare for, enter into, and end its military conflicts.”³ If nothing else, it should be evident that the Constitution was designed to make war difficult to enter into and signing treaties a deliberate decision.

Constitutional Convention

The Constitutional Convention began in May 1787. The Constitution as a whole reflects the Framers’ commitment to republicanism. It provides for elected officers in the executive and legislative branch, guarantees a republican form of government for each state, and forbids titles of nobility. It also incorporates separation of powers between each branch and between the states and Federal governments. Institutional separateness was a mechanism to secure liberty; it prevents accumulation of power in one branch of government. The Constitution also reflects two features innovative for the time—the doctrine of constitutionalism and the principle of federalism. Constitutionalism assumes that the people are the sole source of legitimate power and that written constitutions are fundamental law. The

² Richard H. Kohn, “The Constitution and National Security,” in *The United States Military under the Constitution of the United States, 1789-1989*, edited by Richard H. Kohn (New York: New York University Press, 1991), 62.

³ Kohn, “The Constitution and National Security,” 63.

principle of federalism allows a republic to share power with the states.⁴ Direct discussion of military matters at the convention began in the middle of August.

Three principles guided the changes to national defense and security embodied in the Constitution. The framers of the Constitution strove to strengthen the military powers of the central government. A second principle was the necessity to centralize defense in the union and not rely on the states for the continent's security. Finally, many Framers also believed that peacetime preparation was part and parcel of effective wartime defense.⁵ Ideological commitments influenced the mechanisms put in place to meet these principles. As historian Richard B. Morris succinctly summarizes, "all the leading federalists who dominated the Convention favored creating a national government imbued with energy and empowered to act, but separation of powers and checks and balances were deemed essential to the preservation of liberty. Power was dispersed to counter abuse."⁶

Interpreting the Constitution—Providing Security

In the minds of the Framers, the increased power of a central government, moderated by separation of powers and checks and balances, would provide for security. The convention wrote into the Constitution 18 provisions designed to give Congress complete and comprehensive powers; fully 11 related explicitly to security, warfare, and defense. Although the Constitution incorporated restrictions on the powers of Congress and on the states, by enumerating specific powers, the delegates instituted separateness of power and federalism, which is the division of powers between the national government and the states.

⁴ Richard B. Morris, "The Origin and Framing of the American Constitution," in *The United States Military under the Constitution of the United States, 1789-1989*, edited by Richard H. Kohn (New York: New York University Press, 1991), 42-43.

⁵ Kohn, "The Constitution and National Security," 70-71.

⁶ Morris, "The Origin and Framing of the American Constitution," 53.

Article 1, section 8, of the Constitution awards Congress the following powers related to security, warfare, and defense:

To lay and collect Taxes...to pay the debts and provide for the common Defence...'

To borrow Money...'

To Coin Money...;

To define and punish Piracies...and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer term than two Years;

To Provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia and for governing such Part of them as may be employed in the Service of the United States, reserving to the states respectively the Appointment of the Officers, and Authority of training the Militia according to the discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over...the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the same shall be, for the Erection of Forts, Magazines, Arsenals, Dock-Yards, and other needful Buildings..."⁷

⁷ U.S. Constitution, art. 1, sec. 8, as formatted by Kohn, "The Constitution and National Security," 71-72.

Similarly, article 2, section 2, of the Constitution assigns the President powers related to security, warfare, and defense:

The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual service of the United States...

and he shall nominate, by and with the Advice and Consent of the Senate, shall appoint...Officers of the United States...⁸

Additionally, provisions related to foreign policy are specified in the Constitution. In article 1, section 8, Congress is authorized:

To regulate Commerce with foreign nations...

To establish a uniform Rule of Naturalization...⁹

Article 2, section 2, assigns executive foreign policy responsibilities, most of which require Senate approval:

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties ... and by and with the Advice and Consent of the Senate, shall appoint Ambassadors...¹⁰

The Framers empowered the government to use force in foreign war.¹¹ Centralization was inherent in the war-making powers. The framers empowered the national government and limited the states' powers. States were prohibited from coining money, making treaties, waging war or keeping armies or navies in peacetime.¹² State militias were subject to national control and Congress set the standards for training and order. The Constitution explicitly amplified the Articles and placed foreign

⁸ U.S. Constitution, art. 2, sec. 2.

⁹ U.S. Constitution, art. 1, sec. 8.

¹⁰ U.S. Constitution, art. 2, sec. 2.

¹¹ Kohn, "The Constitution and National Security," 73.

¹² Morris, "The Origin and Framing of the American Constitution," 48-49.

policy, military power and the determination of war and peace in the hands of the union, not the individual states.¹³

While the centralization of war-making powers generated debate, this issue was far more successfully resolved than the issue of militia reform. Standing armies were viewed with wide suspicion and largely contrary to most state constitutions, for reasons explained in chapter one above. Although a notably experienced contingent, including Secretary of War Henry Knox, General George Washington, and others, advocated a more organized and robust regular army, cultural prejudices, past experiences, and romantic notions of militia success during the colonial era made militia reform a contentious issue. As in other issues, the Constitution created a compromise, in this case between uniformity and reform and strong state militias for service on open frontiers.¹⁴ In the end, “the compromise went as far as possible at the time and left the state militias a dual force, clearly under national control if Congress asserted its power ... but never completely divorced from their state roots and orientation....”¹⁵

The Constitution empowered the nation to defend itself and also made the government more effective in the business of fighting. Although the Constitution placed the authority to declare war with the legislature to ensure broad public support for any conflict, the actual management of operations was in the hands of an empowered executive. Supported by the people via Congressional endorsement, the president as Commander in Chief would provide the overall guidance for the war. As Alexander Hamilton envisioned, guidance to include “actual conduct of foreign negotiation, the preparatory plans of finance, the application and disbursement of public monies, ...the arrangement of the army and navy, the direction of the operations of war...and other matters of a like

¹³ Kohn, “The Constitution and National Security,” 74.

¹⁴ Kohn, “The Constitution and National Security,” 75-77.

¹⁵ Kohn, “The Constitution and National Security,” 77.

nature....”¹⁶ Furthermore, the office of Commander-in-Chief had a clear connotation in Anglo-American lexicon as the top military post of the chain of command—not unimportantly Washington’s designation during the Revolution. While the framers did not envision the president as field commander, it is apparent they expected the President to delegate military administration to a civilian minister and to delegate military command to an officer of the armed forces, whom he nominated to the Senate and, with its “Advice and Consent,” appointed.¹⁷

Interpreting the Constitution—Ensuring Liberty

Providing for a strong presidency was one crucial element of strengthening the nation’s ability to prepare and use military power for defense. The Constitution also contained checks on military power to ensure the military and the supporting structure would not pose a threat to the security of the country. The Framers built a system to assure civilian control of the military and to prevent an overthrow of the government or an undermining of constitutional process. Civil control was further emphasized by making the President the Commander in Chief of the army and navy, but placing control of military appropriations, limited to two-year increments, with Congress in the hope of insuring that such a serious decision would always be contingent upon popular will.¹⁸ Yet the Framers had to ensure the checks put in place did not render the military ineffective.¹⁹

As explored earlier and as expressed by historian Richard Kohn “[f]ew political principles were more widely known or more universally accepted in America during the 1780s than the danger of standing armies in peacetime.”²⁰ Suspicion of a standing army was deeply rooted in the American political experience. American suspicion of regular forces

¹⁶ Alexander Hamilton, *The Federalist No. 72*, <http://www.constitution.org/fed/federa72.htm>; Kohn, “The Constitution and National Security,” 79-80.

¹⁷ Kohn, “The Constitution and National Security,” 80-81.

¹⁸ Arthur A. Ekrich, *The Civilian and the Military* (New York: Oxford University Press, 1956), 24, 26-27.

¹⁹ Kohn, “The Constitution and National Security,” 81.

²⁰ Kohn, “The Constitution and National Security,” 81.

was bolstered by the experience of colonial volunteers serving alongside English regulars in the French and Indian Wars and earlier eighteenth century frontier engagements. From their experiences, Colonists formed an opinion of the English regulars as profane, irreligious, and immoral.²¹ The Intolerable Acts of 1774, one of which suspended civil government and put Massachusetts under the rule of the local military commander, and the Boston Massacre in 1790 cemented the vision of standing army as the tool of despotism in the minds of the American public.²² The Constitution provided three checks on power to counterbalance the danger of a peacetime standing army.

The first check was to place the authority to raise and support an army with Congress. As the voice of the people, Congressional authority prevented against “the ambition of a bad king” and ensured the army was the people’s army. Bicameralism provided additional safeguards through additional dispersion of power. Two separate chambers, acting independently but in agreement, would determine the need for an army and provide resources for its support. Finally, appropriation in two-year intervals ensured each new Congress would re-examine the need for and support of an army. In theory, no military force could exist in perpetuity.²³

The second central check put in place by the Constitution was the separation of powers. The framers divided power over the military so that no one branch was fully in control. Congress created the army, but the President held the reigns of command. Congress made rules for its organization and governance, but the President sat at the top of the uniformed hierarchy. As with so many other powers of government, power over the military was separated between two branches. As Virginia delegate George Mason insisted, “the purse and the sword ought never to

²¹ Allan R. Millet and Peter Maslowski, *For the Common Defense. A Military History of the United States of America* (New York: The Free Press, 1984), 42.

²² Kohn, “The Constitution and National Security,” 82.

²³ Kohn, “The Constitution and National Security,” 83-84.

get into the same hands whether Legislative or Executive.”²⁴ The separation of war-making powers between the Congress and the President reflects this philosophy. Article 1, section 2, vests in Congress the right to declare war and to raise and support armies, but limits appropriations for the army to a maximum of two years. However, article 2, section 2, describes the President as Commander in Chief. It can be inferred that the Convention intended to distinguish between declaring and supporting war on the one hand and conducting its operations on the other.²⁵ Furthermore, each branch, by exercising its authority over the armed forces, checked the other’s capacity to use those forces against the state.²⁶

The third safeguard was the militia. While the framers acceded to the need for regular forces, they valued the militia as a counterweight to a standing army. The militia served as a check against an arbitrary and tyrannical national government—thus explaining why militia reform with respect to national powers was so contentious and the eventual existence of the Second Amendment, the right of citizens to bear arms. As such, the final check against a standing army and a despotic government was rebellion, the potential for which was guaranteed by the militia.²⁷

Debate over Ratification

Supporters of the Constitution believed the Constitution would provide balance between security and liberty. As the debate over ratification entered the public domain, Alexander Hamilton, John Jay, and James Madison authored a series of essays known as *The Federalist* in support of ratification. Supporters of the Constitution became known as Federalists and sought to assure the public that there was no reason to fear usurpations of power and tyranny by the new government. Those

²⁴ Max Farrand, ed., *The Records of the Federal Convention of 1787*, 3 Vols. (New Haven, CT: Yale University Press, 1911), I:318-319; Morris, “The Origin and Framing of the American Constitution,” 51.

²⁵ Morris, “The Origin and Framing of the American Constitution,” 51.

²⁶ Kohn, “The Constitution and National Security,” 84.

²⁷ Kohn, “The Constitution and National Security,” 85.

who opposed ratification, the Antifederalists, presented opposing opinions to *The Federalist* through their own published essays and skillful oratories. The debate over ratification became moot when New Hampshire became the ninth state to ratify the Constitution on 21 June 1788, which allowed the Confederation Congress to transfer power to the new Federal government. *The Federalist* defense of the Constitution demonstrates how the Founders envisioned the new government would function.

Antifederalist opposition to the Constitution centered on the lack of more specific limitations on the new government and the failure to prohibit a standing army in times of peace. Richard Henry Lee, a prominent Revolutionary War general from Virginia, opposed the Constitution on the grounds that, “[b]ecause the central government had the power of taxation, its military powers were rendered all the more dangerous. Once an army was raised, it would not be difficult, he predicted, despite the two-year limit on appropriations, to secure from Congress the necessary funds to keep it on a permanent basis.”²⁸ Furthermore, Lee doubted that the new government would be able to “carry all the powers proposed to be lodged in it into effect without calling to its aid a military force, which must very soon destroy all elective government in the country, produce anarchy, or establish despotism.”²⁹

Similar fear that the new government would result in a large standing army, and the inevitable outcome of such a force’s existence, is reflected in a letter from Brutus, most likely the pen name for New York judge Robert Yates, to the people of the state of New York. The author writes:

The liberties of a people are in danger from
a large standing army, not only because the

²⁸ Ekrich, *The Civilian and the Military*, 27-28.

²⁹ *Antifederalist Papers*, “Letters from the Federal Farmer to the Republican, #2,” <http://www.constitution.org/afp/fedfar02.htm>.

rulers may employ them for the purposes of supporting themselves in any usurpations of power, which they may see proper to exercise, but there is great hazard, that an army will subvert the forms of government, under whose authority, they are raised, and establish one, according to the pleasure of their leader.³⁰

Additionally, the Antifederalists feared that Congress had been given an inordinate amount of power over state governments and the other branches of the proposed new government. Centinel, most likely Antifederalist Samuel Bryan, feared that the new Constitution “grant[ed] all the great executive powers of a confederation, and a STANDING ARMY IN TIME OF PEACE, that grand engine of oppression, and moreover the absolute control over the commerce of the United States and all external objects of revenue...and *internal* taxation” to Congress.³¹ Such consolidation of power was likely to result in the government using the military to enforce the laws of the land.

The authors of the *Federalist* papers addressed these and others concerns in their essays. In *Federalist* 8, Hamilton posits that without a central government, states with strong militias coupled with state rivalries will go to war with each other. Additionally, in *Federalist* 25, he asserts that nations subject to internal invasion will “oblige the government to be always prepared to repel it; its armies must be numerous enough for instant defense. The continual necessity for their services enhances the importance of the soldier, and proportionably degrades the condition of the citizen.” Only a strong central government can mute the rivalries of states and prevent internecine war. Furthermore, in *Federalist* 24 Hamilton describes the standing peacetime army under the authority of the legislature and under the pay of the

³⁰ *Antifederalist Papers*, “Brutus #10,” <http://www.constitution.org/afp/brutus10.htm>.

³¹ *Antifederalist Papers*, “Centinel #1,” <http://www.constitution.org/afp/centin01.htm>.

national government as the most effective and efficient force to guarantee frontier security.³²

The Federalist authors also took pains to defend the government's need for a means of defense. Hamilton and others purported that a well-trained militia would obviate the need for a standing army. In order to ensure an effective militia, the Federal government should have the authority to train and discipline the militia. Thus, while the Constitution provided Congress the ability to raise an army, notionally, the likelihood of its necessity was low, provided militias were properly tended. Additionally, in the opinion of the Federalists, the provisions of the Constitution provided enough safeguards that, if needed, a standing army would be properly kept subordinate to civil control.³³

Although the Constitution provided for a regular standing army, distrust of the military continued to shape society in the Early Republic. Political scientist Arthur A. Ekrich asserts that the major concern of that era's civil-military relations was the size of the standing army and the danger of it becoming a tool for despotism. This concern occupied much of the debate over ratification, and it lingered as an issue that divided the Federalist and Republican political parties. Additionally, that debate was part of the larger debate over what to do with a military and how and when to do it. The test of the new government's ability to provide security would come with the War of 1812. The national security situation leading into the war was strategically difficult and challenged the political parties to further determine how to wield the Federal government's newly appointed powers.

³² Ekrich, *The Civilian and the Military*, 30. Alexander Hamilton, *The Federalist*, Nos. 8, 24, 25, <http://www.constitution.org/fed/federa00.htm>.

³³ Ekrich, *The Civilian and the Military*, 30-31; Hamilton, *The Federalist*, No 29, <http://www.constitution.org/fed/federa29.htm>.

Chapter 3

Pre-War Situation

These orders interdict to neutral nations, or rather the United States, now the only commercial nation in a state of neutrality, all commerce with the enemies of Great Britain, now nearly the whole commercial world, with certain exceptions only, and under certain regulations, but too evidently fashioned to the commercial the manufacturing, and the fiscal policy of Great Britain; and, on that account, the more derogatory from the honor and independence of neutral nations.

...the United States are well warranted in looking for a speedy revocation of a system which is every day augmenting the mass of injury, for which the United States have the best of claims to redress.

James Madison, 1808

As the young nation addressed security concerns, it turned to the Constitution to shape its military posture and guide the use of force. The security dangers that plagued the United States on the eve of the War of 1812 were already identified by the 1780s. First were European powers' competing claims to land in North America. The British were well-positioned in Canada and interested in checking American expansion. Traditional alliances between the British and Indian competitors thwarted American imperial dreams. Strategically located British forts, paired with Spain's presence in Florida and Louisiana, astride the access points to the Mississippi River, served as a source of anxiety for the new country. American seaborne trade was another source of vulnerability. The American economic reliance on trade necessitated a navy, if for no other reason than protection from pirates in the Mediterranean, as events of the 1780s and 1790s would demonstrate. Finally, British military action along the American coast, including the brief occupation

of New York, caused Americans to feel that a navy was necessary to defend a lengthy coastline.¹

Furthermore, American foreign policy revolved around commercial relations with France and England. Over time, the Republicans became associated with a pro-French position. Republicans tended to do well in staple-producing regions, the South and West, where residents craved direct access to European continental markets and therefore resented British restrictions on American trade. Federalists, dominant in the merchant North, represented a constituency that felt there was more to be gained from cooperation with Britain than dealing with the difficult French.²

In 1793, as it became clearer that the Anglo-French conflict resulting from the French Revolution would greatly impact American commercial interests, President George Washington issued a statement, which would become known as the Neutrality Proclamation. Republican opponents saw this move as an attempt to sever Revolutionary War treaties with France in order to draw closer to the British, while Federalist proponents determined it would ensure stability and commercial relations with Britain. The Neutrality Act passed in 1794 and made it illegal for an American to wage war against a country at peace with the United States. It also established the principle of neutral rights, which ensured that the United States, as a neutral power, would continue to seek trading opportunities with warring powers. The tension between France, England, and the United States over commercial interests would shape the military policy of the early nineteenth century as well.³

¹ Richard H. Kohn, "The Constitution and National Security," in *The United States Military under the Constitution of the United States, 1789-1989*, edited by Richard H. Kohn (New York: New York University Press, 1991), 65-66.

² Richard Buel, Jr., *Securing the Revolution. Ideology in American Politics, 1789-1815* (Ithaca, NY: Cornell University Press, 1972), 28-41.

³ Buel, *Securing the Revolution*, 41-49.

Federalists had long supported a militant foreign policy to secure American neutral rights on the high seas. In the face of actual war with the British navy, however, they reversed course. They also feared that the addition of Canada by conquest and increased westward expansion of US territory would lessen the political clout of the Eastern seaboard. They feared war with England would result in the destruction of maritime commerce and the invasion of coastal towns by the British. In addition to the expected loss of political and economic power, the Federalists also warned of the possibility of military leaders usurping civil authority.⁴

Military Reform under the Constitution

The military was one issue that divided the Federalists and Republicans. The Federalists advocated of a strong centralized government. They wished to see national power supported by a well-disciplined army of trained men. As the party of the commercial seaboard region, they also desired a naval establishment to protect and encourage American overseas trade. The Republicans were strongly affiliated with the agricultural areas of the interior and derived their political power from those whom Jefferson, the leading Republican, idealized as “yeoman farmers.” They viewed a permanent army or navy as instruments chiefly for the benefit of the merchant and trader class. Additionally, Republicans feared a large standing army would likely be used to augment the powers of the national government.⁵ In spite of these differences, military reform measures, aimed at constitutionally strengthening national military effectiveness, were enacted to clarify roles and responsibilities of individual states and the Federal government.

In one of its first military acts, in September, 1789, Congress authorized a small army of 840 men, inherited from the Confederation. Secretary of War Henry Knox envisioned “an energetic national militia” incorporating all citizens between 18 and 60 years of age, classified by

⁴ Arthur A. Ekrich, *The Civilian and the Military* (New York: Oxford University Press, 1956), 52-53.

⁵ Ekrich, *The Civilian and the Military*, 32.

age and trained accordingly so that young men were indoctrinated into militia service and made tactically sound. Congress declined to pass his proposal, so Knox lobbied for a larger regular army.⁶ Knox's attempt to increase the Army to 5,000 men was contentious and only passed following military defeats on the Northwest frontier.⁷

In November 1790, General Josiah Harmar's mixed force of Ohio and Kentucky militia and regulars failed to eliminate the Shawnee and Miami Indian threat along the Maumee River in the Ohio Territory. His failed expedition cost the lives of some 75 (of 320) regulars and 108 (of over 1,100) militia.⁸ Harmar's defeat was followed by a punitive expedition against the Miami Indians, led by General Arthur St. Clair. St. Clair mustered forces at Fort Washington (modern-day Cincinnati) and in November, 1791 engaged in combat along the Wabash River, about 50 miles south of modern-day Fort Wayne, Indiana. St. Clair's forces suffered 657 dead with a total of 918 casualties; only one in three escaped unharmed.⁹ In the wake of these disasters, Congress began to flex its new powers on military matters.

In March 1792, Congress authorized a regular army of 5,000 troops. Congress authorized the recruiting of the existing two infantry regiments and the artillery battalions to full strength, plus three additional infantry regiments and four troops of light dragoons. Later that year, Congress reorganized the army to become the Legion of the United States, effectively creating four smaller armies to ensure greater tactical flexibility along the frontier.¹⁰ Congress also moved to clarify the position of the citizens' militia under the Constitution with the passage of the Militia Act of 1792. The act required the enrollment of every able-bodied citizen between 18 and 45 in the state militia, but did not include

⁶ James R. Jacobs, *The Beginning of the U.S. Army, 1783-1812* (Princeton, NJ: Princeton University Press, 1947), 43-45.

⁷ Ekrich, *The Civilian and the Military*, 35-36.

⁸ Jacobs, *The Beginning of the US Army, 1783-1812*, 52-60.

⁹ Jacobs, *The Beginning of the US Army, 1783-1812*, 85-115.

¹⁰ Russell F. Weigley, *History of the United States Army*, (New York: Macmillan, 1967), 92.

a measure for classification by age group, which had been advocated by Knox. It left training, discipline, and exemptions to the states and required individuals to furnish their own arms, all obstacles to standardization. Overall, the Militia Act deviated little from traditional service requirements of the citizen militia of the American colonies, but it did codify the erstwhile traditions of the citizen-soldier.¹¹

In the 1790s, America came close to war with England while trying to prevent both Great Britain and France from violating its neutral rights. Only the unpopular Jay Treaty¹², signed in 1794, prevented war with England, but by 1798 tensions with France had elevated to an undeclared naval war. The regular army (the legionary organization was abandoned in 1796) was enlarged by 20,000 men, and 80,000 militiamen were detached from the states and placed under federal control. However, President John Adams' renewed peace overtures to France in 1799, coupled with a reduction in the army as a means of cost saving, again shrunk the size of the military.¹³ Adams' efforts to preserve peace cost him the election of 1800.

Thomas Jefferson succeeded Adams as president and ushered in a decades-long domination of the presidency by the Republicans. Throughout his political career, Jefferson was a devout proponent of the militia as the provider of internal defense. During his presidency, he supported an organized militia instead of a peacetime standing army. By 1802, following his recommendation, Congress reduced the army from 5,438 enlisted and commissioned personnel to 172 officers and an

¹¹ Weigley, *History of the United States Army*, 93-94; Ekrich, *The Civilian and the Military*, 34.

¹² George B. Tindall and David E. Shi, *America: A Narrative History* 6th ed. (New York: W.W. Norton, 2004), 314-315. The Jay Treaty included the British definition of neutral rights, which prevented exports of tar, pitch, and other products needed for naval ships from entering enemy ports in neutral ships and reinforced the "Rule of 1756;" granted Britain most-favored-nation status and barred French privateers from outfitting in American ports; gave up claims of compensation for slaves escaped during the Revolutionary War; agreed to payment of debts to British merchants by the American government; in exchange for British evacuation of frontier forts, reparations for seizures of American ships and cargoes in 1793-94, and legalized trade with the British West Indies (this provision was not included in the final treaty). The treaty was ratified in 1795.

¹³ Ekrich, *The Civilian and the Military*, 40-44.

authorized enlisted strength of 3,040 men.¹⁴ To strengthen the militia, Congress set aside \$1.5 million to equip 80,000 militiamen in case of emergency.¹⁵ Additionally, Jefferson supported nonintercourse and embargo measures as a means of protecting neutral rights and keeping the nation out of the European war.

Following the *Chesapeake-Leopard* affair, described in detail later in the chapter, Jefferson introduced the Embargo Act, which Congress passed in 1807. The Embargo Act prohibited the clearance of any ships bound to foreign ports; it was designed to put the British on short rations and drive them to respect American neutral rights.¹⁶ Additionally, popular sentiment drove momentum for the addition of nearly 6,000 men—five infantry regiments and new regiments of riflemen, light artillery, and cavalry—to increase the regular army to over 9,000 strong.¹⁷ The Embargo Act was wildly unpopular in the Northeast, and Congress passed the Enforcement Act of 1808 which authorized Jefferson to use the militia to enforce the embargo.¹⁸ By the end of his second term, Federalist opponents denounced the Embargo and Enforcement Acts on the grounds they elevated the military over the civil power.

By 1809, when James Madison took over as president, the Embargo Act was virtually repealed. The Nonintercourse Act of 1808 allowed the president to designate a country at war safe enough for trade. Although the Republican Party still preferred to address the issue of neutral rights and commercial trade with economic weapons, it appeared that the likelihood of having to use the Army to defend American interests against Great Britain was greater than before.¹⁹

¹⁴ Jacobs, *The Beginning of the US Army, 1783-1812*, 252.

¹⁵ Jacobs, *The Beginning of the US Army, 1783-1812*, 256.

¹⁶ Marshall Smelser, *The Democratic Republic, 1801-1815* (New York: Harper & Row, 1968), 164.

¹⁷ Theodore J. Crackel, *Mr. Jefferson's Army: Political and Social Reform of the Military Establishment* (New York: New York University Press, 1987), 169.

¹⁸ Smelser, *The Democratic Republic*, 168-169.

¹⁹ Weigley, *History of the United States Army*, 111.

However, upon assuming office, President Madison and Secretary of the Treasury Albert Gallatin pursued a policy designed to cut spending, reduce debt, lighten the tax load and balance the budget.²⁰ Gallatin proposed budgets that cut military and naval spending in order to shrink the federal deficit. Only by 1810, as it became increasingly clear that all attempts to use economic coercion would fail, did Madison finally recommend filling the Regular regiments, recruiting 20,000 volunteers, and requiring states to arm and equip 100,000 militiamen. By 1812, the regular Army stood at 6,744 men against an authorization of 10,000.²¹

The election of the War Hawks to Congress in 1811 generated momentum for the preparation for war.²² The War Hawks were a faction of the Republican Party that advocated for war with England through the invasion of Canada as the most effective means for forcing British acquiescence on issues of neutral rights and impressment. Although they supported war, they opposed funding for a more robust navy. They did, however, cobble together enough support in the Twelfth Congress to pass a December 1811 bill to increase the standing army by enlisting 25,000 men for a five-year term. Congress also authorized the President to call for 50,000 volunteers from the state militia to serve alongside the regular army for 12 months. Congress failed, however, to specify whether or not militia members could serve outside US borders, which would prove fateful during multiple campaigns in the impending war.²³

Although the authorized strength of the army was nearly 30,000 men, augmented by 50,000 volunteers, recruits never fully filled the ranks. The lack of manpower was due to bitter internal opposition to the declaration and prosecution of the War of 1812. New England Federalists, as well as traditional Jeffersonian Republicans, opposed the war, which led to consistent personnel shortfalls in both the regular

²⁰ Smelser, *The Democratic Republic*, 230.

²¹ Weigley, *History of the United States Army*, 112.

²² Ekirch, *The Civilian and the Military*, 46-49.

²³ Ekirch, *The Civilian and the Military*, 50-51.

army and volunteer forces.²⁴ Furthermore, regular officers had to recruit their regiments. They faced a shortage of funds and supplies, as well as competition with militia recruiters, which further contributed to manpower shortfalls.²⁵

Use of the militia did not resolve manpower problems. In April 1812, Congress authorized 100,000 militiamen to be detached for call up to the Federal Army for a two-year period. The militiamen called into service would serve for six months. However, experiences early in the war revealed militiamen poorly equipped or not at all and highlighted the failure of Congress to standardize organization, training, and discipline. The militia cultivated a reputation as unreliable and too expensive.²⁶ Throughout the war, Congress would attempt to increase the size of the regular army and increase the numbers of volunteers to substitute for the militia. As the war dragged on, to fill the ranks of the militia, the Madison administration proposed classifying the militia by age so that if the recruiting fell short, a militia draft could be instituted.

As Secretary of War, it fell to James Monroe to propose multiple plans to Congress, all intended to solve the manpower problem. The version that ultimately reached the Senate in November 1814 was a plan to allow the federal government to draft 80,000 men from the state militia for a period of two years. Federalists decried the draft as unconstitutional and a violation of individual liberties. Although the Senate passed the bill, it was defeated in the House of Representatives. Monroe's conscription plan withered on the vine, and manpower issues remained unsolved for the duration of the war.²⁷

²⁴ Ekirch, *The Civilian and the Military*, 51-52

²⁵ J.C.A. Stagg, *Mr. Madison's War. Politics, Diplomacy, and Warfare in the Early American Republic* (Princeton, NJ: Princeton University Press), 170-176.

²⁶ C. Edward Skeen, *Citizen Soldiers in the War of 1812* (Lexington, KY: University Press of Kentucky, 1999), 21.

²⁷ Ekirch, *The Civilian and the Military*, 56-58.

Security Concerns—Commercial Interests

Like the Federalists, Jefferson and the Republicans believed in American neutrality; however, they also believed in the right of the United States to trade with European powers in the midst of war without restraint or restrictions.²⁸ American commerce grew steadily from the 1790s onward as American merchants began to dominate trade between Europe and the West Indies. Between 1793 and 1807, the value of American re-exports averaged close to \$33 million a year. The United States emerged as the largest neutral carrier of goods in the world.²⁹ The American perspective that free ships made free goods would serve as a prime source of tension between the United States and France and the United States and England.

Throughout Jefferson's presidency, the United States and Britain contested each others' interpretations of wartime commerce. Legal fictions such as "broken voyage" marked the period as American merchants strove to comply with the British Rule of 1756, which stated commerce prohibited in time of peace was also prohibited in time of war.³⁰ America as a whole, but New England in particular, prospered from American neutrality, and its defense was a central foreign policy challenge for the Jefferson administration. Securing overseas markets was also critical to the Republican ideal of an agricultural society. Surplus farm goods needed an outlet.³¹ In fact, the United States and Britain verged on war over the issue.

In the summer of 1805, the Royal Navy began seizing American merchant ships in spite of previous recognition of the principle of

²⁸ Gordon S. Wood, *Empire of Liberty. A History of the Early Republic, 1789-1815* (Oxford: Oxford University Press, 2009), 622.

²⁹ Wood, *Empire of Liberty*, 623.

³⁰ Wood, *Empire of Liberty*, 624-625. The practice of "broken voyage" involved carrying goods from the Caribbean to the United States, unloading the goods and paying duties, and then reloading the same goods for transport to Europe, particularly Spain and France. This process rendered the goods technically American, and therefore neutral.

³¹ Wood, *Empire of Liberty*, 626-627.

“broken voyage.” American merchants suffered heavy losses—nearly \$500,000 was lost to Philadelphia merchants alone.³² The seizures and lengthy prize court process were certainly irritating, but Americans were particularly galled at the perception that the British presumed to determine American trade policy. The shadow of the nation’s former colonial status loomed large.

In retaliation against the *Chesapeake-Leopard* affair, addressed in the following section, Jefferson enacted the Embargo Act of 1807. Although the act prohibited American ships from departing for foreign ports, it did not prohibit foreign ships, including British ships, from importing goods to the United States. It did prohibit foreign ships from exporting American goods, however.³³ During the first year of embargo, the Massachusetts merchant fleet, accountable for nearly 40 percent of the nation’s tonnage, lost more than \$15 million in freight revenue. During 1808, American exports declined nearly 80 percent and imports declined nearly 60 percent.³⁴

Sharp opposition to the Embargo Act led to the Nonintercourse Act of 1808 and Macon’s Bill Number 2 in 1810. Macon’s Bill Number 2 lifted all restrictions on American trade and gave the President authority to impose nonintercourse only after either France or Britain first revoked its edicts against the United States.³⁵ Far from securing neutral rights, this coercive act opened the door for disagreements and misunderstandings between England and the United States. For example, the United States accepted at face value France’s repeal of its restrictive Berlin and Milan decrees as applied to the United States, whereas the British believed the supposed repeal was a ploy to push the United States to take punitive action against England.

³² Wood, *Empire of Liberty*, 640.

³³ Wood, *Empire of Liberty*, 649-650.

³⁴ Wood, *Empire of Liberty*, 655. Exports declined from \$103.3 million to \$22.4 million and imports from \$144.7 million to \$58.1 million.

³⁵ Stagg, *Mr. Madison’s War*, 28.

Security Concerns—Impressment

Even more humiliating to American nationalism was the British impressment of American sailors. Although the British never claimed the right to impress American citizens, the Royal Navy did reserve the right to arrest British deserters on foreign ships at sea or in British ports. The inability to distinguish British subjects from American citizens led to the impressment of at least 3,000 American sailors during England's wars with France. The lengthy, if not impossible, process to remedy an illegal impressment, coupled with the lack of reciprocal rights for American naval vessels to board British ships, smacked of neocolonialism to the insecure young republic. The issue proved an impasse. The British continued the practice to fill the ranks of its navy during its existential wars against France. For the Americans, it was an emotionally charged issue—a matter of national pride that topped every list of complaints against British practices.³⁶

British commanders felt their own frustration, as in the spring of 1807, all the vessels in the squadron stationed at Lynnhaven Bay, near the mouth of the Chesapeake River in coastal Virginia, suffered from desertion. Traditionally, the Royal Navy had no authority to stop and search the naval vessels of friendly nations. As a result, British deserters sought safety in the ranks of peaceful foreign navies, like that of the United States. When British officers learned that the deserters from Lynnhaven Bay had joined the crew of the United States frigate *Chesapeake*, they determined to take action.³⁷

In a move to recover the suspected deserters, the English frigate HMS *Leopard* approached and boarded the USS *Chesapeake* on 22 June 1807. After the commander of the *Chesapeake* refused to muster his crew for inspection by the British crew to facilitate their search for

³⁶ Wood, *Empire of Liberty*, 641-643.

³⁷ Ian W. Toll, *Six Frigates. The Epic History of the Founding of the U.S. Navy* (New York: W.W. Norton, 2006), 292-295.

deserters, the *Leopard* fired three broadsides into the ship. In the course of the conflict, 21 men were killed or wounded, and the British captain impressed four men he claimed were British citizens. The last time an English warship had stopped and boarded an American ship-of-war was 1798. The American public was incensed and ready for war. Although support for military action was widespread, President Jefferson avoided war through diplomacy and economic coercion. Public confidence in his leadership and work on coastal fortifications, coupled with an absence of further British aggression curbed calls for war.³⁸ In the aftermath of the *Chesapeake-Leopard* affair, as described earlier, military authorizations tripled.³⁹

No event brought the issue of impressment to the forefront of the American psyche as vividly as the *Chesapeake-Leopard* affair, although the issue was central to Madison's reasons for war. As his attitude toward British violation of American maritime rights hardened, he made it clear to the editor of the most influential Republican-aligned newspaper that any settlement with Britain must include the end of the practice of impressment. Furthermore, impressment was one of four grievances Madison highlighted in his war message to Congress in June 1812.⁴⁰

Security Concerns—Indians

The vagueness of agreed upon boundaries in the 1783 Peace of Paris and dispute over the unsettled Old Northwest served as another source of contention between the United States and Great Britain for 60 years.⁴¹ The Americans wanted the land for settlement, while the British wanted to influence the Indians in order to resist the encroachment of American settlers and to continue to reap benefits from the region's fur

³⁸ Reginald C. Stuart, *War and American Thought. From the Revolution to the Monroe Doctrine* (Kent, OH: Kent State University Press, 1982), 103.

³⁹ Allan R. Millet and Peter Maslowski, *For the Common Defense. A Military History of the United States of America* (New York: The Free Press, 1984), 101; Mahon, *The War of 1812*, 1.

⁴⁰ Stagg, *Mr. Madison's War*, 69, 110.

⁴¹ Reginald Horsman, *The War of 1812* (New York: Knopf, 1969), 3.

trade.⁴² By 1787, the Old Northwest was experiencing a boom of growth and migration. Along the Great Lakes and associated waterways, American settlers perceived a barrier of hostile tribes aided and abetted by British agents. The British presence in the area served as a reminder of the weakness of American defense policy as British troops and agents conspired with their Indian allies from forts on American territory, which remained in British hands until after the Jay Treaty.⁴³

As tensions between the countries in 1793-1794 seemed to indicate war, Canadian authorities encouraged Indian hostilities against Americans. General Anthony Wayne moved his forces into the Ohio Territory to secure the frontier and reinforce peace conferences with various Indian tribes. Negotiations failed and by October 1793, Wayne's forces were on the march. Wayne finally engaged the Indians at the Battle of Fallen Timbers in August 1794.⁴⁴ It was a short, 45-minute battle, and following the skirmish, the Americans found evidence that the Indians had not only fought with British arms, but they had been joined by Canadian militia in fighting against Americans.⁴⁵

American settlers and politicians were very aware of the connections between the British and Indians of the Northwest. General St. Clair's defeat, discussed earlier in this chapter, in November 1791 provided the impetus for comments in Congress the following January that clearly blamed the British for supporting Indian incursions against American settlers. General Wayne's findings reinforced American assumptions. As Congressmen debated British commercial restrictions against the Americans, they added condemnation of British intrigue among the Indians to their list of complaints. Although there was no call for an invasion of Canada at this time, the link between British and

⁴² Julius W. Pratt, *Expansionists of 1812*, (Gloucester, MA: Peter Smith, 1957), 19.

⁴³ Kohn, "The Constitution and National Security," 66.

⁴⁴ Jacobs, *The Beginning of the US Army, 1783-1812*, 153-175.

⁴⁵ Pratt, *Expansionists of 1812*, 20.

Canadian support of hostile Indians and the effect on American settlement opportunity was clearly established.⁴⁶

The Jay Treaty provided for the British surrender of northwestern posts in American territory along the Great Lakes occupied since the end of the Revolution. The British handed over the forts in 1796 and a decade of relative quiet followed. Increased tension in the Old Northwest around 1806 corresponded with renewed fighting in Europe. As American war sentiment surged in 1807 in response to the *Chesapeake-Leopard* affair, the northwestern Indians became more active as well. Jefferson addressed the need to continue to work for peace with the Indians in his October 1807 opening message to the Tenth Congress.⁴⁷

Residents of the Old Northwest were less certain in the Indians predisposition towards peace. Governor William Henry Harrison of Indiana believed that:

...the Chippeways, Ottowas, and part of the Pottowatomies only wait for the signal from the British Indian Agents to commence the attack...The British could not have adopted a better plan to effect their purpose of alienating from our Government, the affections of the Indians than by employing this vile Instrument [the Prophet]. It manifests at once their inveterate rancor against us and their perfect acquaintance with the Indian character.⁴⁸

Governor William Hull of Michigan also reported a meeting between British and Indian delegates at Malden, a Canadian post near Detroit, at which British officers encouraged the Indians to take up arms against the Americans in the event of war between the two nations.⁴⁹

Naturally, representatives of the relatively new western states such as Ohio (1803) and Kentucky (1792) voiced their concern for the safety of

⁴⁶ Pratt, *Expansionists of 181*, 20-21.

⁴⁷ Pratt, *Expansionists of 1812*, 22-24.

⁴⁸ Pratt, *Expansionists of 1812*, 25, citing the Burton Historical Collection Pamphlets, No. 4, pp. 140-141.

⁴⁹ *American State Papers, Indian Affairs*, I: 746; Pratt, *Expansionist of 1812*, 25.

the frontier in Congress. Expressions of the link between English influence and Indian hostility were made consistently during the 1807-1808 session of Congress. However, even Julius W. Pratt, the historian who most concretely laid out the connection between Indian depredations on the frontier and a desire to annex Canada, points out that at the time, the invasion of Canada was not promoted by Congress as a means for removing British influence and curbing Indian hostilities. Furthermore, while local papers and proclamations used warlike language to condemn the *Chesapeake* affair, there was little connection made locally between British impressment, Indian intrigue, and a Canadian solution.⁵⁰

Although the first connections between frontier security and the expulsion of Great Britain from the Continent were made in Congress as early as 1809, it was the rise of the Shawnee chief Tecumseh and the spiritual leader known as the Prophet that galvanized western support for an invasion of Canada. As 1810 progressed, it became increasingly apparent that Tecumseh and the Prophet had motives irreconcilable with the designs of the United States. Territorial governors began to report a clear British influence among the Indians, and local newspapers reported similar findings. By September 1811, Governor Harrison was able to report that the Indians were being supplied by British agents at Malden. Even though historical evidence proves the British explicitly dissuaded the Indians from courting war with the Americans, at the time it was widely believed that the British planned to marshal Indians forces for an attack at the time and place of their choosing.⁵¹

Governor Harrison was determined to eliminate the Indian threat. He wrote to the Secretary of War, "If some decisive measures are not speedily adopted we shall have a general combination of all the tribes

⁵⁰ Pratt, *Expansionists of 1812*, 28-31.

⁵¹ Pratt, *Expansionists of 1812*, 42-48.

against us.”⁵² Although reluctant to provoke an Indian war, the administration allowed Harrison to assemble troops and march against the threat. In November 1811, Harrison’s army defeated Indian forces led by Tecumseh at Tippecanoe. As expected, the Americans found the Indians in possession of British-supplied equipment.⁵³ The impact of this conflict meant that as the War Hawks came to power in the Twelfth Congress, they had a solid rallying point to advocate a transition from a defensive posture in the west to more offensive action. While there was a change in tone, the primacy of dealing with commercial transgressions remained. However, there was a growing solidification of popular support once the invasion of Canada was determined to be the only means for confronting Great Britain.

Pratt’s main thesis was that a primary cause of the War of 1812 was that western demand for the expulsion of the British from Canada was matched by expansionist sentiment toward Florida in the South. Thus, sectionally balanced expansionist tendencies motivated the Republicans to advocate for war.⁵⁴ While subsequent historians have challenged the validity of Pratt’s argument, the effect of frontier security on the eventual American war strategy cannot be denied.

Western support for the war extended beyond revenge for Indian depredations. As producers of exports but not the carriers of such, British practices affected western farmers more than they did New England shippers. Westerners attributed an economic depression in the 1810s to British commercial restrictions. While Congressional speeches did address Indian hostilities, the more dominant theme was addressing the right to export American produce. Pratt’s link between the South and

⁵² Governor William Henry Harrison to Secretary of War Eustis, 2 July 1811 found in Governor’s Messages and Letters, Volume One, p. 526, Indiana Historical Collections.
<http://books.google.com/books?id=c98WAAAAYAAJ&pg=PA526&lpg=#v=onepage&q&f=false>

⁵³ Millet and Maslowski, *For the Common Defense*, 101.

⁵⁴ Reginald Horsman, “Western War Aims, 1811-1812,” *Indiana Magazine of History* 52, No. 1 (March 1957): 1-2, <http://webapp1.dlib.indiana.edu/metsnav2/imh/navigate.do?oid=VAA4025-053-1&cid=VAA4025-053-1-a01>.

West can be accounted for by the fact that both regions were producers of good and therefore had similar interests in seeing maritime restrictions lifted. Historian Reginald Horsman is unsurprised that, “in Congress in 1811 and 1812 the western representatives spoke vigorously of the need to defend American maritime rights—this was not, as the advocates of the expansionist theories would maintain, simply a façade, hiding the real western desire to conquer Canada; it was a genuine feeling that if the West and South were to have a market for their produce British restrictions would have to be resisted.”⁵⁵

The Emergence of a Canada Strategy

Authors such as Pratt asserted that the idea for a United States invasion of Canada originated “in a complex combination of resentment by frontier congressmen and British links with the northwestern Indian, an incipient sense of ‘Manifest Destiny,’ and a tacit sectional bargain that traded off the promise of northern expansion into Canada against the prospect of southern expansion into South East Florida.” While many of the expansionist arguments sought to explain the war have been challenged, there still needs to be an understanding of the nature of American interest in Canada and its relationship to the maritime concerns that the War of 1812 was intended to settle.⁵⁶ Largely, it appears that American strategy was based on the assumption that invading Canada was a means to coerce Great Britain. The Madison administration built its strategy on the assumption that the occupation of Canada in 1812 would force Great Britain to address American grievances.⁵⁷

In his article “James Madison and the Coercion of Great Britain,” Madisonian scholar J.C.A. Stagg examines Madison’s political mindset

⁵⁵ Horsman, “Western War Aims,” 3-9.

⁵⁶ Stagg, “James Madison and the Coercion of Great Britain: Canada, the West Indies, and the War of 1812,” *The William and Mary Quarterly*, 3rd series 38, No. 1 (January 1981): 3, <http://www.jstor.org/stable/1916855>.

⁵⁷ Stagg, “James Madison and the Coercion of Great Britain,” 4-5.

and reconstructs evidence to highlight the linkage Madison made between Canada and a recalcitrant Britain. Stagg justifies this examination by pointing out that as Commander in Chief, Madison was the person most responsible for the war strategy. He also reminds the reader that Madison was a systematic thinker, well-practiced in matching the ends and means of politics.⁵⁸ A long-term perspective reveals that the assumptions underlying the invasion of Canada and that action's effect on Great Britain were consistent with earlier coercive economic policies Madison advanced for dealing with Great Britain.

From 1783 onward, British access to North American resources changed dramatically. In the years following American independence, British and American attitudes were shaped by the British Orders in Council and published defenses of those decisions, such as a pamphlet called *Observations on the Commerce of the United States* by John Baker Holroyd, first Earl of Sheffield. The Orders in Council stripped the United States of its former commercial privileges and appeared to be geared toward keeping America dependent on Britain.⁵⁹ The United States relied on Great Britain for finished goods and counted on Britain to consume American foodstuffs and cotton.⁶⁰ Sheffield also developed the idea that Canadian resources would eventually replace those lost by the United States, allowing Britain to be a self-sufficient economic unit. By continuing trade in Canada, Britain would continue to dominate the American market.⁶¹

Until about 1808, it was clear that trade with Canada had not grown to replace United States' commerce. The economy of the West Indies demonstrated British vulnerability. From 1801 to 1805, the West

⁵⁸ Stagg, "James Madison and the Coercion of Great Britain," 5.

⁵⁹ Stagg, "James Madison and the Coercion of Great Britain," 5-8.

⁶⁰ Bradford Perkins, *Prologue to War. England and the United States 1805-1812* (Los Angeles: University of California Press, 1963), 24. Even in 1806 when the two countries were at odds, the United States purchased almost one-third of all British exports and shipped \$20 million worth of goods produced in the United States to Britain. Four-ninths of all exports of domestic produce went to England.

⁶¹ Stagg, "James Madison and the Coercion of Great Britain," 5-8.

Indies annually imported nearly \$6.5 million worth of American goods, American goods which were vital in keeping the empire supplied.⁶² That is why for nearly 25 years, Madison could support embargo and non-importation laws as a mechanism for coercion.⁶³

In reaction to trade restrictions, Canada emerged as a channel for evading and crippling US commercial laws. Smuggling between the United States and Canada undermined American sanctions. Additionally, by 1811, it was clear that Canada was valuable to Great Britain as an outlet for trade and that Canada's importance to the empire had grown, more in line with Sheffield's predictions.⁶⁴ The need for timber and naval stores to fight the war against Napoleon in Europe benefitted both Canada and Great Britain. Also problematic was that American growth fueled, and was in turn fueled by, Canadian growth. American emigrants to Canada bolstered Canadian trade surpluses and trade across the Great Lakes seemed to benefit Canada over the United States. In observing the situation, the British diplomat Francis James Jackson was willing to report, "Great Britain and her colonies are already in a great degree, and shortly will be still more so, independent of the produce of the United States."⁶⁵ Madison himself became aware of the growth in importance of Canadian trade to the West Indies and the result that the impact of the withdrawal of American shipping was not as severe as he had predicted.⁶⁶

By 1811, editorials in the administration paper, the *National Intelligencer*, addressed Canada's rise to "wealth and importance." The rise in Canada's value was attributed to changes "effected settlements, by commerce, and by war," particularly the growing needs of Britain's West India colonies, the exclusion of British trade from northern Europe by

⁶² Perkins, *Prologue to War*, 23.

⁶³ Stagg, "James Madison and the Coercion of Great Britain," 7-20.

⁶⁴ Stagg, "James Madison and the Coercion of Great Britain," 23-24.

⁶⁵ Francis James Jackson to Earl Bathurst, Jan. 23, 1810 cited in Stagg, "James Madison and the Coercion of Great Britain," 28.

⁶⁶ Stagg, "James Madison and the Coercion of Great Britain," 30.

France and Russia, the operation of “our embargo and other restrictive laws,” and, above all, the expansion of American settlements, especially in New York, “to those places which naturally communicate with Canada.” This was as close as Madison’s administration ever came to admitting openly that the growth of Canada had the potential to supplant the United States and destroy the very basis of Madison’s diplomacy of commercial restriction—the assumption that Britain and its empire were dependent on the United States for “necessaries.” The lack of dependence between the United States and Great Britain would leave the United States, in Madison’s estimation, with little means of bringing effective pressure on Britain through economic coercion; rather it would have to build up its own naval and military force to challenge those of England.⁶⁷

As the nation progressed toward war, the government struggled to align its military and foreign policy. In the first years of Madison’s presidency, the government’s military policy reflected the administration’s desire to curb the debt and use economic coercion as the mechanism for ensuring neutral rights. However, as it became clear that economic coercion was ineffective and that the invasion of Canada was sure to be the best means for injuring Great Britain, existing military policy became increasingly inconsistent with foreign policy. Though it had reduced the size of the Army, the Madison administration simultaneously hardened its policy toward Great Britain and seemed intent on substituting military force for economic coercion. As historian Russell F. Weigley aptly observes, “The United States in 1811 was hardly a military nation, but in foreign policy it was nevertheless a warlike one.”⁶⁸

⁶⁷ *National Intelligencer*, 2, 23, 28 November 1811, 3 December 1811, cited in Stagg, “James Madison and the Coercion of Great Britain,” 32-33.

⁶⁸ Weigley, *History of the United States Army*, 114.

Chapter 4

War of 1812

We behold, in fine, on the side of Great Britain a state of war against the United States, and on the side of the United States as state of peace toward Great Britain.

Whether the United States shall continue passive under these progressive usurpations and these accumulating wrongs, or, opposing force to force in defense of their national rights, shall commit a just cause into the hands of the Almighty Disposer of Events, avoiding all connections which might entangle it in the contest or views of other powers, and preserving a constant readiness to concur in an honorable reestablishment of peace and friendship, is a solemn question which the Constitution wisely confides to the legislative department of the Government. In recommending it to their early deliberations I am happy in the assurance that the decision will be worthy the enlightened and patriotic councils of a virtuous, a free, and a powerful nation.

James Madison, June 1, 1812

James Madison assumed the office of President in 1809. He was left with the aftermath of a failed and subsequently repealed embargo and frontier security challenges. The issue that would define his tenure would become the War of 1812, or as critics dubbed it, “Mr. Madison’s War.” As he struggled to execute the first declared war under the Constitution, his efforts would be hampered by key disunity among members of his administration, political discord, and limits of Constitutional authority. All of these issues would shape his presidency and the prosecution of the war.

In his essay about Madison in *The Ultimate Decision: The President as Commander in Chief*, Marcus Cunliffe offers five factors that

complicate any assessment or evaluation of Madison's performance during the War of 1812. They are:

- 1) the unpopularity of the War of 1812;
- 2) the limited, ill-defined, and peripheral nature of the war;
- 3) the nature of Republican Party doctrine;
- 4) the lack of precedents to guide the nation or the president in war;
- 5) friction between the principal figures involved in the war effort.¹

Almost all of these factors negatively impacted the strategy available to Madison for prosecuting the war. The unpopularity of the war, especially in New England, forced Madison and his advisors to abandon a more appropriate Canadian invasion route. Republican Party doctrine inhibited attempts to raise manpower and funding for the prosecution of the war. Lack of precedents and friction between principal figures made it more difficult for ideas to flow freely. Compounded by a dearth of military experience, there was diminished capacity for political objectives to inform military strategy and also of military opportunity to inform political realities.

Madison's Predicament

Madison was the first president in American history to conduct a declared war. His exercise of presidential power was consistent with his Republican affiliation, his actions as advocate for the ratification of the Constitution, and his previous support for the Embargo as Jefferson's Secretary of State. He understood the "whole point was to keep the reins of government in civilian hands, and he had no problem asserting his role as the ultimate decision maker."² He was inexperienced in military matters and often deferred to his military "experts" for operational

¹ Marcus Cunliffe, "Madison, 1812-1815," in *The Ultimate Decision. The President as Commander in Chief* edited by Ernest R. May (New York: George Braziller, 1960), 45.

² Robert A. Rutland, *The Presidency of James Madison*, (Lawrence, KS: University of Kansas Press, 1990), 105.

decisions and believed those who assured him the war would be of brief duration.³

Madison was hampered by questionable military leadership. According to historian Robert Rutland, Madison had a choice of aged generals of varying experience and a host of “has-beens” and “would-bes.” While he made policy and weighed in on strategy, Madison relied on his senior commanders to make tactical and operational decisions and to help shape his understanding of the war’s strategy. This was unfortunate as history has judged those who surrounded him as relatively incompetent.⁴ Madison was further hampered by the partisanship which prevented able commanders from rising to the top. His Secretary of War, William Eustis, used commissions as a party favor and selected Republicans to fill most positions: without question, Madison signed the commissions that crossed his desk.⁵ Republican interpretation of the Constitution also hampered Madison’s ability to wage war, as the party agreed that the use of the militia was limited to within national borders. The President was not empowered to send state-supported units beyond American borders; only regular troops and volunteers could be sent into Canada.⁶

Additionally, Republicans by and large believed that war was a threat to republican principles. Whatever kind of war the nation fought would have to be framed under liberal, republican principles. As Secretary of the Treasury, Albert Gallatin pointed out at the outset, the Republicans needed to conduct a war without promoting “the evils inseparable from it ... debt, perpetual taxation, military establishments,

³ Rutland, *The Presidency of James Madison*, 105.

⁴ Rutland, *The Presidency of James Madison*, 106.

⁵ Rutland, *The Presidency of James Madison*, 106-7.

⁶ Rutland, *The Presidency of James Madison*, 107.

and other corrupting or anti-republican habits or institutions.”⁷ This daunting task would prove to be nearly impossible.

Finally, as war loomed, the Madison administration had few means to attain the Canadian objective. The sound strategy would have been to focus invasion efforts on taking Montreal or even Kingston, as possession of either of those points would have cut off Upper Canada from reinforcement and supply. Madison actually wanted to do this, and earlier plans had alluded to such a course of action, but according to War of 1812 historians David and Jeanne Heidler, in the summer of 1812, he had neither the men nor the leaders to accomplish the goal. Instead, the administration opted for a plan that included invasions launched from Detroit and the Niagara Peninsula as well as the campaign for Montreal.⁸ The experiences and abilities of the men charged with executing the war would make a profound difference on its course.

Key Figures

James Madison’s political career spanned nearly 50 years, beginning in the Virginia House of Delegates in 1776. His service included turns in the Continental Congress (1779-1783, 1786-1788), as Jefferson’s Secretary of State (1801-1809), and culminated with his election and subsequent reelection as President of the United States (1809-1817).⁹ The event that dominated his presidency was the War of 1812.

Historians such as Leonard White have described Madison unfit “to be a leader of men.”¹⁰ Even Madison’s most kind biographer, Irving Brant, notes the irony of a Commander in Chief “trained in the arts of

⁷ Albert Gallatin to Thomas Jefferson, 10 March 1812, cited in Gordon S. Wood, *Empire of Liberty. A History of the Early Republic, 1789-1815* (Oxford: Oxford University Press, 2009), 670 and Henry Adams, *The Life of Albert Gallatin* (New York, 1879), 455-56.

⁸ David S. Heidler and Jeanne T. Heidler, *The War of 1812* (Westport, CT: Greenwood Press, 2002), 58.

⁹ Rutland, *The Presidency of James Madison*, 1-2.

¹⁰ Leonard D. White, *The Jeffersonians. A Study in Administrative History, 1801-1829* (New York: Macmillan, 1951), 36.

peace” being called on to lead the nation to war.¹¹ Furthermore, some historians have asserted that Madison was browbeaten by Congress and tricked by France into declaring war. A review of his commitment to economic coercion and his insistence on British respect for American rights demonstrates his move to war as the logical conclusion of failed economic coercion.

As congressman, Secretary of State, and President, Madison thought a great deal about the possibilities of coercing England to protect American mercantile interests. Like many others, Madison believed that as long as the United States was the principal supplier of Great Britain for foodstuffs and other products, economic coercion was a legitimate mechanism to force the English to respect American rights.¹² As early as 1785, Madison advanced a system of commercial rewards and penalties to encourage England to relax restrictions on trade with the West Indies. In 1794, Madison again proposed a retaliatory program against England that was only avoided by the successful negotiation of the Jay Treaty.¹³ In 1810, acting in accordance with Macon’s Bill Number 2, Madison barred trade with England (France claimed to have revoked their restrictions) and told the French minister that nonintercourse would “necessarily lead to war” unless England also lifted her Orders in Council.¹⁴ Clearly, Madison was well aware of the trajectory of his foreign policy and willing to pursue American rights, even in the face of war.

Madison worked very deliberately at ensuring he would have a Congressional consensus before he placed the issue of declaring war against England before the House and Senate. Madison was not afraid to lead Congress on matters of foreign relations, but he did prefer not to

¹¹ Irving Brant, *James Madison: Commander in Chief, 1812-1836*, (New York: Bobbs-Merrill, 1961), 13.

¹² Ronald L. Hatzenbuehler and Robert L. Ivie, *Congress Declares War. Rhetoric Leadership and Partisanship in the Early Republic* (Kent, OH: Kent State University Press, 1983), 14.

¹³ Brant, *James Madison, Commander in Chief, 1812-1836*, 15.

¹⁴ Brant, *James Madison, Commander in Chief, 1812-1836*, 16.

send frequent personal directions to Congress. Instead, he used Secretary of State James Monroe as an avenue to communicate indirectly with Congress. Madison felt so strongly about working in concert with Congress, that his decision to replace his first Secretary of State, Robert Smith, with Monroe was motivated largely by the need to create a better working relationship with Congress.¹⁵

Madison was not pushed into war by Congress as some historians have asserted, nor did he back into it as Rutland describes.¹⁶ Rather, his decision to declare war was a rational response to long-term diplomatic and political problems that had plagued the Madison administration since its inception, and the nation even before that.¹⁷ Although war was more seemingly consistent with Federalist ideology than that of the Republicans, Madison and his party came to view war with Britain and the invasion of Canada as the only way to ensure the United States would be respected as an independent nation.

President Madison's closest advisor was Secretary of the Treasury, Albert Gallatin. Gallatin emerged on the American political scene as an Antifederalist. He later emerged as a leader of the Republican Party in Congress.¹⁸ Jefferson appointed him Secretary of the Treasury in 1801 where he worked closely with then Secretary of State James Madison. He retained his post following Madison's election and was Madison's closest advisor. In general, Gallatin opposed military expenditures because they contributed to national debt. Gallatin wanted to avoid war with Great Britain, but he doubted the value of economic coercion against both England and France. Once war was declared, it fell on his shoulders to finance it. Breaking with his own and familiar Republican principles, he grudgingly advocated renewal of the charter for the Bank of the United

¹⁵ Hatzenbuehler and Ivie, *Congress Declares War*, 23-24.

¹⁶ Rutland, *The Presidency of James Madison*, 86.

¹⁷ J.C.A. Stagg, *Mr. Madison's War. Politics, Diplomacy, and Warfare in the Early American Republic* (Princeton, NJ: Princeton University Press), 115.

¹⁸ Robert A. Rutland, ed. *James Madison and the American Nation, 1751-1836: An Encyclopedia* (New York: Simon & Schuster, 1994), 160.

States in order to finance the war and urged Congress to take loans, raise custom duties, and levy internal taxes to finance the war.¹⁹ Congress refused to adopt taxes and the unpopular nature of the war led to little interest in New England to grant the government loans. Financing the war remained an issue throughout the war's duration. Gallatin was appointed to the peace commission to negotiate the end of the war and was instrumental in facilitating the Treaty of Ghent.

Gallatin had a capable mind. In 1807, at the height of Anglo-American tensions during Jefferson's tenure, he prepared a sophisticated memorandum outlining preparation for war with England. Gallatin's work addressed defensive and offensive measures as well as consideration of enemy capabilities, American resources, and national strategy. Considering the events of 1812, it is interesting to note that Gallatin recommended occupying Lower Canada as far down as Montreal to sever ties between the Indians and Upper Canada. Overall, he considered it better to go on the offensive and move on Montreal and Quebec, rather than remain on the defensive. Additionally, Gallatin advocated pushing beyond the St. Lawrence to challenge Maritime Provinces and threaten British naval bases in Halifax. Furthermore, in addition to using troops from Ohio and Kentucky in efforts against Upper Canada, Gallatin envisioned manpower from Northern states—New York, New Hampshire, Pennsylvania, Massachusetts, and Rhode Island—to invade Lower Canada. At the time, support for war was nearly unanimous. This would not prove true five years later.²⁰

As Madison's first Secretary of War, William Eustis was responsible for coordinating the campaigns of 1812. Eustis served as a surgeon in the Continental army and later was part of Jefferson's "Revolution of

¹⁹ Rutland, *Encyclopedia*, 162.

²⁰ Harry L. Coles, "From Peaceable Coercion to Balanced Forces, 1807-1815," in *Against All Enemies. Interpretations of American Military History from Colonial Times to the Present* edited by Kenneth J. Hagan and William R. Roberts (New York: Greenwood Press, 1986), 73-74.

1800.”²¹ Although a veteran of the American Revolution, historian Harry Coles characterized Eustis’ knowledge of military affairs as “limited.”²² He replaced Dearborn as Jefferson’s Secretary of War in 1807 and retained the post following Madison’s election. He was always worried about the budget and was described by one historian as “dedicated to thrift.”²³ Although Eustis was a competent administrator, he was understaffed and unable to reorganize and expand the US Army as needed to meet the demands of war. He resigned in December 1812.

Two generals most associated with the early campaigns of 1812 are Henry Dearborn and William Hull. Dearborn served in the Revolution and was a prominent Jeffersonian Republican. He served as Jefferson’s Secretary of War and was later appointed a major general by Madison based on his earlier military service, party loyalty, and administrative competence. Madison preferred his advice to that of others, including Secretary of War Eustis.²⁴ His position was as the senior major general of the additional army, a position he took reluctantly. The “additional army” was comprised of new regular troops, and it was to provide the core of any invading force.²⁵ Although he outranked all the other generals, he never exercised command over the army as a whole.²⁶ Dearborn’s strategic target was Montreal, but his attempts were hampered by limited support in New England, where no fewer than three governors refused to supply militia, and by his propensity to overestimate British troop strength. His November 1812 campaign ended prematurely when militiamen refused to cross into Canada. Subsequent spring campaigns also failed, and Dearborn resigned in July 1813.

²¹ Rutland, *Encyclopedia*, 129.

²² Coles, “From Peaceable Coercion to Balanced Forces, 1807-1815,” 79.

²³ Russell F. Weigley, *History of the United States Army*, (New York: Macmillan, 1967), 112.

²⁴ Rutland, *Encyclopedia*, 108-9.

²⁵ Stagg, *Mr. Madison’s War*, 164-165.

²⁶ Coles, “From Peaceable Coercion to Balanced Forces, 1807-1815,” 82.

Madison appointed William Hull a brigadier general and selected him to command the invasion of Upper Canada from Detroit in 1812.²⁷ At 59 years old, he was appointed the governor of Michigan Territory in 1805. Hull had a distinguished service record from the Revolutionary War, and although he had never advanced beyond lieutenant colonel, he had been recognized personally by General Washington. He had also served in the army that suppressed Shay's Rebellion. In 1811, while still serving as governor and seeing war on the horizon, he offered to serve the country in "any honorable capacity." His analysis of the situation along the Detroit frontier included the recommendation to control the Great Lakes. However, he contradicted himself later in the analysis by suggesting that control of Detroit itself would force the British to abandon Upper Canada.²⁸ Hull eagerly sought military appointment, although in his memoirs he claimed that he accepted command of the western army "with great reluctance." Although he had suffered from a stroke and personal hardships, he was the administration's best candidate.²⁹

By the end of 1812, Madison was left with a vacancy in his cabinet. President Madison appointed John Armstrong, Jr. Secretary of War in March 1813 following Eustis's resignation. Armstrong was abrasive and ambitious and although he was responsible for promoting able young officers, his tenure was fraught with difficulty. In the fall of 1813, he went to the northern front but the commanding general Major General James Wilkinson viewed his presence as interfering. Armstrong also feuded with Secretary of State James Monroe. By the summer of 1814, he had lost Madison's confidence and in the wake of the "Bladensburg Races" and the burning of Washington, the nation demanded his

²⁷ Stagg, *Mr. Madison's War*, 166.

²⁸ Robert S. Quimby, *The US Army in the War of 1812. An Operational and Command Study*. 2 vols. (East Lansing, MI: Michigan State University Press, 1997), I: 19-20.

²⁹ Donald R. Hickey, *The War of 1812: A Forgotten Conflict* (Urbana, IL: University of Illinois Press, 1989), 80-81.

resignation. Madison approved Armstrong's request for a leave of absence, and during that time, he submitted his resignation. Once again, the office of Secretary of War was vacant.³⁰

In addition to Gallatin, James Monroe served as a steady ally in the President's cabinet. He served as both Secretary of State and Secretary of War during Madison's administration. The two men had a long history of cooperation and friendship, and a mutual mentor in Thomas Jefferson. Although Monroe was considered as an opponent for Madison on more than one occasion, Madison used the occasion of a cabinet vacancy to repair a fractured friendship. James Monroe assumed the duties of Secretary of State in November 1811, following Robert Smith's dismissal in the summer of 1811.³¹ Monroe occupied the office continuously through September 1814, in an acting capacity at the end of 1814 into early 1815, and then again on a full-time basis from February 1815 through 1817.

Monroe served as a liaison between the President and Congress and also took an active role in the course of the war. He served as the acting Secretary of War for two months at the beginning of 1813 until Armstrong assumed the post, and then again at the end of the summer of 1814 following Armstrong's dismissal. He was appointed to the post from October 1814 until February 1815 and as acting secretary for the last time in March 1815.³² Although the relationship between these principal figures would shape the war effort, wider political forces influenced decision making as well. Events in the state of New York typify the general dissent between the Republicans and Federalists, as well as the internal tension within the Republican Party.

³⁰ Rutland, *Encyclopedia*, 18; Rutland, *The Presidency of James Madison*, 169-170.

³¹ Rutland, *The Presidency of James Madison*, 71-74.

³² David S. Heidler and Jeanne T. Heidler. *Encyclopedia of the War of 1812* (Santa Barbara, CA: ABC-CLIO, 1997), 575.

Congressional and Party Debate: The Example of New York

In the state of New York, the movement towards war not only divided New Yorkers but also exacerbated division within the Republican Party. Republicans leaders feared the war would lead to a Federalist resurgence like the one seen following the 1807-1809 embargo. Federalists did make ground, electing a Federalist majority to both the state assembly and Congress. Federalists opposed the war throughout the duration of the conflict and tried to increase their political power by forming a Peace Party with dissident Republicans.³³

The nature of Federalist opposition is revealed in the campaign platform adopted by Federalists during the 1812 April elections. In response to the preparatory 90-day embargo, Federalists organized petitions to Congress to lift the embargo. They insisted to voters that anything other than a Federalist victory was sure to lead to “enormous loans and large standing armies ... land taxes, whiskey taxes ... the EMBARGO” and war.³⁴ New York Federalists characterized war between the United States and Great Britain as “the worst possible of all evils” and hoped their election gains would lessen the War Hawk influence in Congress.³⁵

New York Republicans also opposed the war, but for different reasons. Some Republican leaders opposed the war because a majority of New Yorkers opposed it. Others opposed the war because they feared a resurgence of Federalist political power. During the Congressional vote, only one New York senator and three Republican congressmen voted in favor of the declaration of war.³⁶

³³ Harvey Strum, “New York Federalists and Opposition to the War of 1812,” *World Affairs* 142, No. 3 (Winter 1979/80), 170.

³⁴ New York Spectator, 11 April 1812 cited in Strum, “New York Federalists and Opposition to the War of 1812,” 170-171.

³⁵ Memorial of New York City to Congress, 12 June 1812 cited in Strum, “New York Federalists and Opposition to the War of 1812,” 171.

³⁶ Strum, “New York Federalists and Opposition to the War of 1812,” 171.

Federalist opposition to the war continued after the 18 June 1812 declaration of war. Federalist protestors insisted it was a war “waged without just cause” that would lead to American submission to France. When it became widely known that the British repealed the Orders in Council and that President Madison had rejected armistice with Britain, Federalists observed that the war was “a war of party, & not of country.” In the December 1812 elections, New York Federalists billed themselves as “Friends of Peace, Liberty, and Commerce.” They highlighted wartime casualties and increased taxes as the only tangible outcomes of the war.³⁷

Federalist opposition to the war affected state legislation and the local population. In 1813, Federalists blocked a proposed \$500,000 loan from the state for the prosecution of the war. Reports emerged of widespread trading with British forces, and on occasion, Federalists supported smugglers against local law enforcement measures. Assemblymen urged their constituents to resist militia service. In 1814, the state assembly blocked the Republican governor’s attempt to raise a state volunteer corps, a force viewed as more reliable than the militia. During the 1814 elections, Federalists continued to deride the war as producing only, “huge loans, heavy debt and heavy taxation.”³⁸

Declaring War

In spite of real opposition towards war, by 1811 national leadership seemed to recognize the likelihood of war. The 29 November 1811 report prepared by the Foreign Relations Committee recommended war preparations for the United States. The report largely concerned itself with maritime matters: specifically the report objected to British commercial regulations and the practice of impressment. The report elegantly summarized the essential cause of complaint against Great

³⁷ Strum, “New York Federalists and Opposition to the War of 1812,” 173-174.

³⁸ Strum, “New York Federalists and Opposition to the War of 1812,” 175-179.

Britain, with the argument that the United States claimed the right to export her products without losing either ships or men.³⁹

In May 1812, President Madison and House leaders met to determine the degree of support for a war with Great Britain and to determine the correct process for declaring war. Earlier in his career, Madison had made the point that the power to declare war was “not, in any respect, an act merely executive,” but “expressly vested, where all other legislative powers are vested, that is, in the congress of the United States.”⁴⁰ As the President mulled over the possibility of war, he shared his concerns about how to enter into war with Thomas Jefferson. Other advocates for war arrived at their own conclusions. The Speaker of the House, Henry Clay, advised Monroe that although the “power of declaring war belongs to Congress, it falls within the scope of the President’s constitutional duty to recommend such measures as he shall judge necessary and expedient.”⁴¹ The May meeting proved fruitful, reaching consensus on “the inevitability of war and the respective roles of the executive and legislature in bringing it about.”⁴²

Nature of the Administration

According to historian Leonard D. White, the period from 1809 to 1817 was one of disharmony, in part because of a weak president and mediocre Cabinet members. He asserts that Madison’s cabinet was a failure from its inception. Intra-party opposition, from a faction known as the Invisibles, led by Maryland Senator Samuel Smith, made it impossible for him to move his most trusted advisor, Albert Gallatin,

³⁹ *Annals of Congress*, 12th Cong., 1st Sess., 373-377, 376, <http://memory.loc.gov/ammem/amlaw/lwaclink.html>; Reginald Horsman, “Western War Aims, 1811-1812,” *Indiana Magazine of History* 52, No. 1 (March 1957): 10, <http://webapp1.dlib.indiana.edu/metsnav2/imh/navigate.do?oid=VAA4025-053-1&cid=VAA4025-053-1-a01>.

⁴⁰ Helvidius No. 1, published in the *Gazette of the United States*, August 24, 1793, reproduced in Ralph Ketcham, ed, *Selected Writings of James Madison* (Indianapolis, IN: Hackett, 2006), 230-234; William R. Barlow, “Congress During the War of 1812,” (PhD dissertation, The Ohio State University, 1961), 2.

⁴¹ Clay to Monroe, 15 March 1812, cited in Barlow, “Congress During the War of 1812,” 3.

⁴² Barlow, “Congress During the War of 1812,” 3.

from the Treasury to State. Over the course of his two terms he had two Secretaries of State, four Secretaries of the Treasury, four Secretaries of War, three Attorneys General, and four Secretaries of the Navy. Furthermore, White assesses that the Cabinet, like the presidency, suffered a severe decline during Madison's eight years.⁴³

White categorizes cabinets of the time as fundamentally political organizations. A rule of secrecy governed cabinet deliberations. The cabinet covered a wide range of issues, but was often a central node for foreign affairs. When the cabinet gathered, it was not to discuss departmental business, but "to debate constitutional issues, policy, or partisan matters on which the President required their counsel."⁴⁴

Under Madison, the presidency lost its power in leading the government and gave way to the legislative branch. Madison was ineffective, in part because of his stature and experience, but he was also a weak executive in the face of strong men in the House of Representatives due to his allegiance to past relationships and to the old Republican doctrines of strict construction and relative inactivity of the federal government.⁴⁵ Congressional reforms between 1811 and 1825 were designed to enhance the power of Congress.⁴⁶ This situation for the beginning of the war was important because the Twelfth Congress, which seated 4 November 1811, was characterized as, "the very opposite of its inactive, blundering, leaderless predecessor...there were able, influential leaders in the House... [who] compelled the administration to follow their lead."⁴⁷

Henry Clay, as Speaker of the House, retained the initiative in public affairs. Some historians assert he was able to force war with Great Britain. However, when "cooperation between Congress and President

⁴³ White, *The Jeffersonians*, 77-81.

⁴⁴ White, *The Jeffersonians*, 83-84, 86.

⁴⁵ White, *The Jeffersonians*, 29-35.

⁴⁶ White, *The Jeffersonians*, 45.

⁴⁷ White, *The Jeffersonians*, 52-53.

was forthcoming, the standing committees [of Congress] served the invaluable function of providing the executive and legislative branches with a common body of like-minded deputies.”⁴⁸ For example, during the War of 1812, Monroe, while acting as Secretary of War, constantly consulted the House Committee on Military Affairs and drew up bills for it.⁴⁹

The War Department was responsible for the management of army business. Congress was responsible for the military system but did not prove competent enough under the leadership of Jefferson or Madison to erect an organization adequate to its tasks. Jefferson favored “a well-disciplined militia, our best reliance in peace and for the first moments of war.” He believed that a standing army was impossible to maintain in the comfortable condition of American life. As described in part in an earlier chapter, from 1801 onward the Republicans had put the army on a minimum footing. The basic legislation of 1802 authorized an army of one regiment of artillerists and two regiments of infantry, with a full strength of about 3,350 officers and men. There were 10 general officers. In 1808, five additional regiments of infantry, one regiment of riflemen, one regiment of light artillery, and one regiment of light dragoons were to be enlisted for the term of five years. Additional provisions were made for equipping the militia. The administration of Army affairs before 1812 was abysmal. Attempts to institute more adequate oversight in 1812 and 1813 were too late; the handicaps to effective army management from 1801 to 1812 were nearly insurmountable.⁵⁰

Additionally, the efforts to wage war were hampered because of the lack of central agencies of the War Department and the army for procurement, for record keeping, or for command and control, other than the accountant and the clerks who copied figures and letters. Over the

⁴⁸ White, *The Jeffersonians*, 56.

⁴⁹ White, *The Jeffersonians*, 56.

⁵⁰ White, *The Jeffersonians*, 211-213.

course of the war, Army leaders recognized that materiel and equipment were lost and wasted, but no effective method of command and control was introduced during the war. Often, the Secretary of War lacked access to field reports, and never during the war were field commanders forced to supply exact information. Congress was so timid about giving power to the military, even for supply, that its attempts to mend the system created an overlapping and competing system of supply which was an administrative nightmare.⁵¹

Limits to Strategy

In consultation with Secretary Eustis and General Dearborn, Madison determined that an invasion of Canada was the prime military objective.⁵² To circumvent lacking support in the Northeast and to leverage the support for war in the South and West, they developed a three-pronged strategy focused on Montreal. In general, “[o]ne column would move from Lake Champlain toward Montreal, another would strike along the Niagara River, and a third, western force would march from Fort Detroit across to Upper Canada (the region south of the Ottawa River).”⁵³ Canada would falter, and the British would be forced to make concessions.

Madison’s desired outcome for the war—British concessions—was consistent with the goals of economic coercion and commercial restrictions he had advocated since his tenure as secretary of state.⁵⁴ However, Rutland asserts that Madison was totally ignorant of military strategy and depended on generals who had not heard a shot fired in anger for over a generation. Madison’s willingness to go along with public opinion, rather than to shape it, suggests that Madison did not deliberately decide to take the country to war. Instead, Rutland believes that Madison fell into a trap shaped by British inflexibility, pressures

⁵¹ White, *The Jeffersonians*, 213.

⁵² Rutland, *The Presidency of James Madison*, 108.

⁵³ Rutland, *The Presidency of James Madison*, 108.

⁵⁴ Rutland, *The Presidency of James Madison*, 110; Stagg, *Mr. Madison’s War*, 6-7.

from public opinion, and his own gullibility.⁵⁵ This position is overstated. By 1811, Madison had realized the lack of results from economic coercion and was prepared to use military force to fight for American rights. However, as discussed, Madison was handicapped by a relatively dysfunctional cabinet and unbeknownst to him, poor military advisors. Unfortunately, both Secretary of War Eustis and General Dearborn were ill-prepared to perform the job at hand.⁵⁶

Furthermore, any strategy faced the challenge of a nation reluctant to go to war. Republicans believed in a minimal federal government and opposed anything that would produce a national debt, including a standing Army and Navy. Madison used his annual address to Congress in November 1811 as a forum to advocate for the nation to move to a war footing. He suggested lengthening enlistments, the use of auxiliary forces and volunteer corps, and other ideas. Madison encountered resistance from Federalists and traditional Republicans like John Randolph.⁵⁷

In addition, New Englanders crippled the nation's war effort. The region's lack of support warped the direction of strategy. The best course of action for an invasion of Canada should have been a major thrust up Lake Champlain and on to Montreal. But since the northeastern states were so opposed to the war, Madison shifted his attention to invasion attempts via Detroit or the Niagara front. Neither of these routes could strangle British supply and coordination like a move against Montreal, would have and as a result, he relegated them secondary status.⁵⁸ Consequently, Federalist fears manifested in real hindrances to the prosecution of the war.

The Massachusetts governor insisted that as no actual invasion had occurred, so there was no requirement for states to yield control of state militias to the federal government. When the State Supreme Court

⁵⁵ Rutland, *The Presidency of James Madison*, 110.

⁵⁶ Rutland, *The Presidency of James Madison*, 110-11.

⁵⁷ Cunliffe, "Madison, 1812-1815," 31-32.

⁵⁸ Cunliffe, "Madison, 1812-1815," 27.

supported his position with the ruling that there was no reason to warrant the President's request for the Massachusetts militia, the governor refused to make the state forces available.⁵⁹ Governor John C. Smith of Connecticut also declared President Madison's call for militia forces unconstitutional as British challenges on the high seas did not constitute an invasion, and there was no need to enforce laws or to suppress insurrections.⁶⁰ The governor of Rhode Island followed suit. Federalist leaders insisted that the war was a danger to American institutions, predicting the reinstitution of a King or Emperor, bolstered by a veteran army. The actions of New England governors demonstrate one weakness of dividing control over the militia between the state and Federal governments. However, while the staunchest opposition to the war was in New England, even western states had to offer bounties to secure recruits.⁶¹

Finally, the authority of the Commander in Chief had yet to be fully established. For example, the New England governors who questioned the President's right to subordinate state militias to the federal government also questioned the right to prescribe duties to the militia once it was called up and placed in Federal service. Additionally, there was still doubt as to whether the President was in some circumstances expected to take command in the field. Moreover, the nature of the President's relationship with the Navy and War Secretaries was ill-defined. The early Secretaries of War had some military experience but moved in and out of civilian careers. There was no clear line drawn between the civil and the military, and as a result, the administrative and command functions of Madison's cabinet remained

⁵⁹ Arthur A. Ekirch, Jr., *The Civilian and the Military* (New York: Oxford University Press, 1956), 54.

⁶⁰ Michael D. Doubler, *Civilian in Peace, Soldier in War. The Army National Guard, 1636-2000* (Lawrence, KS: University Press of Kansas, 2003), 82-83.

⁶¹ Ekirch, *The Civilian and the Military*, 54.

blurred. This would prove an impediment to coordinating campaigns during the war.⁶²

The Campaigns of 1812

Failure on all three prongs of the proposed strategy marred 1812. Hull began preparation for his push into Detroit in the summer of 1812. In the early summer, he had marshaled some 2,000 regulars and militia in Ohio. His goal was to occupy Detroit, a move intended to force the British to evacuate the region. The occupation of territory was a substitution for naval control of Lake Erie, a move he had advocated earlier in discussions with the President.⁶³

As the column moved north, Hull ordered a road carved out of the wilderness to link Urbana, Ohio to Detroit. This time-consuming trek to Detroit was further complicated when the British captured Hull's personal papers, aboard the schooner Cuyahoga and enroute to Detroit. Hull had no idea the nation was at war, and his papers were vulnerable; the British had no idea Hull was advancing with a large force, until they recovered his papers.⁶⁴

Hull and his forces reached Detroit by 5 July 1812. Within a week he had pushed into British Territory intent on capturing Fort Malden. In an indication of what was to come along the Niagara frontier, some 200 Ohio militia refused to advance out of American territory citing Constitutional limits. In spite of this, Hull commanded more than double the enemy forces in place to protect Fort Malden, a force further winnowed by desertions and defections to the American side by sympathetic Canadians and expatriates. Hull soon squandered his advantage.

Hull became increasingly pre-occupied with his supply lines to Ohio. Facing interference from the British via Lake Erie and from Indians

⁶² Cunliffe, "Madison, 1812-1815," 36-38.

⁶³ Hickey, *The War of 1812*, 80.

⁶⁴ Hickey, *The War of 1812*, 81.

to the west, Hull dispatched multiple waves of troops to reinforce supply lines. His efforts to break through to Ohio and assist supply troops holed up 35 miles south of Detroit proved unsuccessful. Furthermore, news that the outpost on the island of Mackinac, one of the most strategic locations on the Great Lakes, had surrendered appeared to make his position vulnerable from the north. His suggestion to retreat was met with opposition from his supporting militia officers.

Hull's desultory leadership and the loss of confidence of his troops left him vulnerable to attack. British General Isaac Brock made the most of the lull in action and mounted a siege against Detroit. Included among Brock's troops were Indian allies of the British. Many women and children were among the occupants of Fort Detroit, including Hull's daughter and grandchildren. Ostensibly unprepared to defend against a siege and certainly fearful of a massacre given the presence of Indians among the besieging army, General Hull surrendered the fort and his entire army on 16 August 1812.⁶⁵

Events along the Niagara frontier did not go much better. Major General Stephen Van Rensselaer, a prominent New York Federalist and militia officer with no military experience, was appointed by New York Governor Daniel D. Tompkins to command forces along the Niagara. To compensate for his lack of experience, General Van Rensselaer appointed his relative Colonel Solomon Van Rensselaer to serve as his aide and advisor. The command in western New York was shared with General Alexander Smyth of the regular army. Smyth was a political appointee with no practical experience. Smyth was also vain and pompous and refused to subordinate himself to Van Rensselaer when directed to by the War Department.⁶⁶

By October 1812, 5,000 American troops were ready to engage roughly 2,000 British and Indians across the Niagara. General Van

⁶⁵ Hickey, *The War of 1812*, 81-84.

⁶⁶ Hickey, *The War of 1812*, 86-87

Rensselaer had determined to coordinate an attack with Smyth—Van Rensselaer's men were to seize Queenston Heights, while Smyth's attacked Fort George. Smyth refused to cooperate, so Van Rensselaer was left to attack Queenston on his own. After one false start, an advance guard successfully crossed the river. After driving off the British force commanded by Brock and fending off a bid by the British to retake the heights, 600 Americans commanded by Lieutenant Colonel Winfield Scott secured the objective.⁶⁷

To reinforce the American position, General Van Rensselaer ordered the militia to cross the river. The militia forces, made up of men primarily from New York, were cowed by the casualties returning from Queenston Heights. Consequently, like their counterparts in Ohio, they invoked the Constitution and refused to cross the Niagara into Canadian territory. Left without reinforcements, Scott and his troops, now numbering around 950, surrendered in the wake of a fresh British assault.⁶⁸

Van Rensselaer asked to be relieved of duty following Scott's surrender. Smyth, who replaced him, followed the disaster with an ill-fated attempt against Fort Erie at the northern tip of Lake Erie, across the Niagara River from Buffalo, New York. Smyth's plan was stymied primarily by the Pennsylvania militia's refusal to cross the border. The aborted attempt on Fort Erie closed fighting along the Niagara in 1812. Smyth suffered a fate worse than Van Rensselaer. While on leave, he was dropped from the rolls of the army without so much as an investigation.⁶⁹

General Henry Dearborn's waffling in the east contributed to Hull's surrender of Detroit and led to failure to move against Montreal. Failure

⁶⁷ David S. Heidler and Jeanne T. Heidler, *The War of 1812* (Westport, CT: Greenwood Press, 2002), 60-62; Hickey, *The War of 1812*, 86-88.

⁶⁸ Reginald Horsman, *The War of 1812* (New York: Knopf, 1969), 43-46; Heidler and Heidler, *The War of 1812*, 60-62.

⁶⁹ Hickey, *The War of 1812*, 86-88.

to coordinate his movements with those along the Niagara meant no relief for Hull's maneuvers in the West. Instead, Dearborn remained in Boston attempting to recruit men and prepare coastal defenses. His lack of action against Montreal allowed Brock to concentrate his forces against Detroit and force Hull's surrender.

Dearborn delayed in Boston through early July. The letters he exchanged with Eustis carried no sense of urgency. Although Eustis suggested his presence was needed in Albany, he all but refused to go until specifically ordered by Eustis to move. Finally, on 9 July, Eustis wrote to Dearborn and instructed him to depart for Albany and organize for the invasion of Canada. After another short period of delay, Dearborn arrived in Albany in late July to meet up with a force numbering about 1,200 men.⁷⁰

The confusion that clouded the east is perhaps best exemplified through a further examination of the correspondence between Dearborn and Eustis. After his return to Albany, Dearborn wrote the secretary and inquired: "Who is to have command of the operation in Upper Canada? I take it for granted that my command does not extend to that distant quarter." This inquiry shows the lack of clarity over the extent of his command, especially problematic as he had held the command for several months. The lack of certainty is even more troubling as several earlier letters had directed him to coordinate with Governor Tompkins to take control of Niagara and other ports on the lakes. Although General Hull had corresponded with Eustis on the importance of coordinated action between the West and East in order to ensure the success of his campaign, the timing and nature of the letters reveal it was impossible for that coordination to take place.

By November, Dearborn was finally ready to act against Montreal. His army at Plattsburgh on Lake Champlain had reached a strength of

⁷⁰ Quimby, *The U.S. Army in the War of 1812*, 1:57-58.

6,000 to 8,000 men. The Lake Champlain theater was recognized as one of the most important. From a defensive standpoint, penetration to Albany would allow an enemy to move in any direction to threaten the country. Offensively, Lake Champlain was the logical base from which to strike Montreal, comparable in importance to Canada as Albany was to the United States.⁷¹ The base at Plattsburgh made the most sense for a move on Montreal, but even then, Lake Champlain still served as the vital artery for both men and material. "A detachment of his troops crossed into Canada and skirmished with the British, but the fighting was inconclusive, and in the darkness the Americans fired on each other. Once again, the militia refused to cross the border, standing on their supposed right to serve only in American territory. The whole army soon retreated, and Dearborn gave up this half-hearted attempt on Montreal."⁷²

America's invasion of Canada in 1812 failed on all three fronts. Armies had surrendered at Detroit, Frenchtown, and Queenston; much of the Northwest had fallen into enemy hands; and no headway had been made against the British position on the St. Lawrence. According to Hickey, the principal reason for America's failure was poor leadership. The administration's strategy was ill-advised, the War Department failed to give proper direction to commanders in the field, and most of the army's senior officers were incompetent. The militia was undisciplined, unreliable, and unwilling to leave the country. The entire campaign showed how difficult it was to build an army overnight.⁷³

The opening campaigns of 1812 demonstrated how regional unpopularity undermined strategy, as the weak support in regions positioned to provide troops for a move on Montreal forced the military to focus its attention on the West. Furthermore, political ideology hampered

⁷¹ Quimby, *The U.S. Army in the War of 1811*, 1:79.

⁷² Hickey, *The War of 1812*, 88.

⁷³ Hickey, *The War of 1812*, 90.

logistical and financial support. The structure of Madison's administration was ill-equipped to deal with wartime demands and the personalities of those occupying key positions contributed to poor coordination. The friction between certain field commanders and their lack of communication with Madison and Eustis further complicated an already disjointed strategy. The issues of 1812 would evolve in the following two years of the war as new field commanders emerged and with Monroe's increased involvement in the war, however, the trends of 1812 are emblematic of problems plaguing American efforts during the rest of the war.

Chapter 5

The End of the War and the Post-War Perspective

Notwithstanding the security for future repose which the United States ought to find in their love of peace and their constant respect for the rights of other nations, the character of the times particularly inculcates the lesson that, whether to prevent or repel danger, we ought not to be unprepared for it. This consideration will sufficiently recommend to Congress a liberal provision for the immediate extension and gradual completion of the works of defense, both fixed and floating, on our maritime frontier, and an adequate provision for guarding our inland frontier against dangers to which certain portions of it may continue to be exposed.

James Madison, December 5, 1815

1813-1814

General John Armstrong assumed responsibility for the War Department in 1813. In the northern theater, William Henry Harrison, by now a major general in the Kentucky militia, had failed to retake Detroit after six months with access to unlimited men, money, and was bedded down at Fort Meigs, his volunteer force dissolving before him. To unify efforts around the Great Lakes region, Armstrong offered Harrison a commission in the regular army. In March, Harrison became a major general in the United States Army and became responsible to Armstrong's direction. Armstrong hoped to coordinate efforts instead of competing with the aims of the political leaders of Kentucky, who had authorized militia recruitment for the Harrison's Detroit expedition and largely determined Harrison's movements prior to his federal commission. Armstrong envisioned establishing control of Lake Erie to

help reestablish control of the area, and coordination with land troops would be necessary.¹

As in the previous year, the 1813 campaigns were affected by manpower, financing, coordination, and differing state and federal priorities. Gallatin limited War Department expenditures to \$1.4 million dollars per month and Armstrong saw the Northwest, especially if he could count on coordination with the navy, as an opportunity for cost savings. Harrison's manpower allocation grew by only one regiment and Armstrong rebuffed the Governor of Kentucky's pleas for 1,500 men to avenge the River Raisin massacre. This refusal, along with increased British and Indian activity against Fort Meigs, alienated the Western states. Furthermore, the perception that state militia forces, especially from Ohio, were underutilized frustrated recruiting efforts. Nevertheless, Harrison finally marshaled 2,500 regulars, 2,500 Kentucky volunteers, and 1,000 mounted riflemen led by Representative Robert M. Johnson of Kentucky. Following the American naval victory at the Battle of Put-in-Bay, which achieved control over Lake Erie, Harrison was able to defeat British and Indian troops at the Battle of the Thames. During the battle, the Indian leader Tecumseh was killed. Following the American victory on land and lake, the British evacuated from Detroit and Malden.²

General Henry Dearborn was able to launch a successful campaign against York and bolster the American presence on Lake Ontario. Further fighting along the Niagara frontier devolved into disaster. In spite of the American occupation of Fort George, Dearborn was unable to expand American influence. The New York militia burning of a Canadian village led to British reprisals—eventually Buffalo was burned to the ground. Failure along the Niagara frontier was due in part to Dearborn moving troops east to take place in a long-awaited campaign

¹ J.C.A. Stagg, *Mr. Madison's War. Politics, Diplomacy, and Warfare in the Early American Republic* (Princeton, NJ: Princeton University Press), 320-321; David S. Heidler and Jeanne T. Heidler, *The War of 1812* (Westport, CT: Greenwood Press, 2002), 73.

² Stagg, *Mr. Madison's War*, 321, 324, 327-330.

against Montreal. However, his abject failure after the year's campaign seasons led to his dismissal in June 1813.

Dearborn's replacement, General James Wilkinson, led the October 1813 campaign against Montreal. The American commander at Plattsburgh, General Wade Hampton, was a bitter enemy of Wilkinson and refused to take orders from him; Armstrong ultimately approved the dysfunctional command relationship. Acting as two separate forces, Wilkinson was directed to march up the St. Lawrence River and Hampton was to bring his troops up from the south. As Hampton marched north, his militia refused to leave the United States. After encountering what he believed to be an overwhelming British force in October and learning that Wilkinson intended to establish winter quarters in New York, Hampton retreated. Wilkinson's army briefly engaged British troops at Chrysler's Farm in November, but suffered heavy losses. Wilkinson, citing Hampton's retreat as cause, also chose to retreat and establish winter quarters. Thus ended the 1813 campaign in the north.³

The campaign plan for 1814 was essentially the same as for 1813—a Niagara campaign to carry war to the enemy. Jacob Brown and George Izard were elevated to command replacing Major Generals Wilkinson and Hampton. The total army strength was estimated at 31,000, of which 27,000 were "effectives." With the likelihood of increased numbers of veteran British troops, and recognition that fighting against Canada was still widely unpopular, the Madison administration was eager to reach a peace settlement with England. Madison asked his Cabinet to consider on what terms the nation could accept peace. It was determined that impressment and other commercial disputes be referred to in separate negotiations after the signing of a peace treaty. Historian J.C.A. Stagg surmises that this position indicated

³ Heidler and Heidler, *The War of 1812*, 80-85.

the feeling that “the United States had upheld its honor by resisting impressment until the end of the European war had removed the need for Great Britain to practice it, and that peace should be made on that basis.”⁴

Although the cabinet was unified in its pursuit of peace and its campaign strategy, the lack of cooperation between field commanders demonstrated the absence of an adequate command structure to carry out the administration’s decisions.⁵ Commodore Isaac Chauncey, in command of the American navy at Sackets Harbor, refused to subordinate any naval maneuver to General Brown’s invasion plan from Fort George. Brown’s advance was stalled without naval support, and he was forced to withdraw, winning nominal victories at the Battles at Chippewa and Lundy’s Lane as a consolation. By September, American invasion attempts of Canada ended. The American naval victory at Plattsburg Bay in September caused the British invasion of New York at Pittsburgh to stall. Fighting along the northern border ended for the duration of the war.⁶

The Treaty of Ghent

The process to end the War of 1812 was almost as long as the war itself. The British had repealed the Orders in Council just two days before the American declaration of war and hoped that once news of the repeal reached the United States, they would be amenable to ending the war. Secretary of State Monroe’s reply, however, made it clear that a “suspension of the practice of impressment, pending the armistice, seems to be a necessary consequence.”⁷ Although the British were not

⁴ Stagg, *Mr. Madison’s War*, 387-388, 384.

⁵ Stagg, *Mr. Madison’s War*, 403.

⁶ Heidler and Heidler, *The War of 1812*, 106-111.

⁷ Monroe to Warren, 27 October 181, *American State Paper, Foreign Relations* 3:596, <http://memory.loc.gov/cgi-bin/ampage?collId=llsp&fileName=003/llsp003.db&recNum=603>.

ready to cede the point, the groundwork for direct negotiations between the two countries was laid in the opening months of the war.⁸

The commission that negotiated for the United States included John Quincy Adams, James A. Bayard, Henry Clay, Jonathan Russell, and Madison's most trusted advisor, Albert Gallatin. Negotiations in Ghent (now part of Belgium) began in spring 1814. Negotiations were affected by wartime events including Tecumseh's death at the Battle of the Thames, the British sack of Washington, and the British retreat from New York. Additionally, the fact that Britain's most skilled statesman Foreign Secretary Lord Castlereagh, who was representing England in Vienna was absent, initially hampered negotiations. Ultimately, Britain's war-weariness and America's willingness to defer negotiations of its pre-war objectives moved the process along.⁹

Ultimately, the treaty was signed on the basis of the restoration of the *status quo antebellum*. Contrary to the aims of the United States, neither the issue of neutral rights nor the issue of impressment was addressed in the treaty. Similarly, the British gave up hopes for territorial gains and the formal establishment of an Indian buffer state along the northern boundary between Canada and the United States. The two countries did, however, agree to settle boundary disputes by joint commission, a practice that would prove instrumental in preserving Anglo-American peace in future controversies and facilitate the demilitarization of the Great Lakes and the entire American-Canadian border. The United States and England exchanged ratifications on 17 February 1815, officially ending the war.¹⁰

⁸ Reginald Horsman, *The War of 1812* (New York: Knopf, 1969), 250-251.

⁹ Horsman, *The War of 1812*, 252-258.

¹⁰ Heidler and Heidler, *The War of 1812*, 178; Horsman, *The War of 1812*, 259.

Outcomes of the War—Nationalism

In the estimation of historian J.C.A. Stagg, the United States had done little more than survive dangerous threats to its existence.¹¹ While the military record of the War of 1812 was mixed, and certainly the peace was inconclusive, the end of the war led to a period of awakened American nationalism. One historian compared the war to a fight with a bully—he forgets any odds against him and turns to fight; it becomes the resolve to fight that counts most, not winning or losing.¹² The statesmen at the time recognized the surge in national patriotism and identity. Albert Gallatin remarked:

The War has renewed and reinstated the national feelings which the Revolution had given and were daily lessened. The people have no more general objects of attachment with which their pride and political opinions are connected. They are more American; they feel and act more like a nation; and I hope that the permanency of the Union is thereby better secured.¹³

National pride notwithstanding, there were negative outcomes from the war. Gallatin's efforts to reduce the national debt were summarily undone by the war. At the beginning of the war, in 1812, Gallatin's efforts had reduced the debt to \$45 million; in 1815 it stood at \$99 million.¹⁴ Additionally, the commercial tension that plagued the United States and Great Britain continued in various forms of commercial restrictions until Andrew Jackson's presidency. His efforts to end the debate culminated in an agreement in 1830 that finally sanctioned direct trade with the West Indies and the removal of duties on American

¹¹ Stagg, *Mr. Madison's War*, 501.

¹² Russell F. Weigley, *History of the United States Army* (New York: Macmillan, 1967), 132. Paraphrasing Samuel Flagg Bemis.

¹³ Weigley, *History of the United States Army*, 133.

¹⁴ Leonard D. White, *The Jeffersonians. A Study in Administrative History, 1801-1829* (New York: Macmillan, 1951), 119; *American State Papers: Finance*, 3: 21-23, <http://memory.loc.gov/cgi-bin/ampage?collId=llsp&fileName=011/llsp011.db&recNum=32>

produce imported to Canada.¹⁵ In spite of these lingering obstacles, the surge in nationalism would lead to a period in history known as the “Era of Good Feelings.” Many measures would be passed to strengthen the federal government and consistent with the era, the first serious attempts were made to elevate the regular army’s position over militia forces.

Outcomes of the War—Military Reform

Over half a million American served during the War of 1812. The total number of troops equaled 528,000: 57,000 regulars, 10,000 volunteers, 3,000 rangers, and 458,000 militia.¹⁶ The extraordinary number of militia troops underscored the fact that they were costly and inefficient. Worse yet, militia from multiple states repeatedly refused to cross the border into Canada.¹⁷ This marred performance contributed to an increase in peacetime defense spending. In February, 1815, Madison announced the end of the war to Congress, but also issued a call for preparedness. “Experience has taught us,” he said, “that a certain degree of preparation for war is not only indispensable to avert disaster in the onset, but affords also the best security for the continuance of peace.” Congress responded positively and set the peacetime army at 10,000 men.¹⁸

Although the authorized strength of the army was considerably lower than the strength of over 60,000 that had been authorized during the war, it was a fairly generous peacetime force that was complemented by a more robust staff. In March 1815, Congress authorized two major generals and four brigadier generals, an inspector general, a quartermaster general, and a judge advocate general. Most importantly, the major general positions were filled by two men, Jacob Brown and

¹⁵ Stagg, *Mr. Madison’s War*, 517.

¹⁶ Donald R. Hickey, *The War of 1812: A Forgotten Conflict* (Urbana, IL: University of Illinois Press, 1989), 302.

¹⁷ Hickey, *The War of 1812*, 301.

¹⁸ Hickey, *The War of 1812*, 304.

Andrew Jackson, who had held real leadership positions during the war.¹⁹

James Monroe followed James Madison as president and appointed John C. Calhoun as his Secretary of War. Calhoun continued to refine the command structure of the Army and made great strides in reforming the General Staff. Calhoun was able to centralize the staff in Washington and add positions to create a staff system that gave him advice on issues of Army management and that allowed him to exert unified control of the Army.²⁰ While he was not as successful in reforming the secretary's relationship with field commanders, he did appoint Jacob Brown to the newly created position of Commanding General of the Army. Although the relationship between Secretary of War and Commanding General of the Army would be difficult one over the next century, Calhoun and Brown worked well together.²¹

In response to a recession in 1820, Congress demanded a plan to further reduce the Army. Calhoun's plan for an expandable army reflected his, and others, belief that only the Regular Army was suitable for all major operations of war. In his address to Congress, he concluded, "War is an art, to attain perfection in which, much time and experience, particularly for the officers, are necessary."²² The basis for the expandable army was to create a skeleton force in peacetime that would contain all the wartime functions. Recruits would then augment the existing organizations and benefit from the skill and experience of the regulars. In short, he created a peacetime force of just over 6,000 enlisted troops that could be expanded to 11,500 without adding a single officer.²³

¹⁹ Robert S. Quimby, *The US Army in the War of 1812. An Operational and Command Study*. 2 vols. (East Lansing, MI: Michigan State University Press, 1997), 2:954.

²⁰ Weigley, *History of the United States Army*, 134-135.

²¹ Weigley, *History of the United States Army*, 138-139.

²² John C. Calhoun cited in Weigley, *History of the United States Army*, 140.

²³ Weigley, *History of the United States Army*, 141.

In 1821, Congress ultimately rejected Calhoun's plan and settled for a simple reduction in force to 6,000 enlisted men. However, the recognition of the regular army as the nation's central fighting force, as demonstrated by Calhoun's expandable system, was a direct legacy of the War of 1812. The Army itself would continue to advocate for such a system and it would reemerge as the central tenet of military reform in the late nineteenth century. The failure to adopt an expandable Army did, however, meant that whole new units had to be raised to respond to later crises of the nineteenth century—the Mexican-American, Civil, and Spanish-American Wars in particular.²⁴

Although the Army would continue to struggle with recruits and volunteers, the Supreme Court settled the issue of authority to call out the militia in 1827. In the landmark case *Martin vs. Mott*, Justice Joseph L. Story, ironically a Madison appointee to the court, ruled:

The power confided by Congress to the President is doubtless of a very high and delicate nature. A free people are naturally very jealous of the exercise of military power; and the power to call the militia into actual service is certainly felt to be one of no ordinary magnitude....It is, in its terms, a very limited power, confined to actual cases of invasion, or of imminent danger of invasion. If it be a limited power, the question arises, by whom is the exigency to be judged of and decided? ...*We are all of the opinion that the authority to decide whether the exigency has arisen belongs exclusively to the President, and that his decision is conclusive on all persons....*

In a free government the danger must be remote, since in addition to the high qualities which the Executive must be presumed to possess, of public virtue and honest devotion to the public interests, *the frequency of elections, and the watchfulness of the representatives of the nation, carry with them all the checks which can be useful to guard against usurpation and wanton tyranny.*"²⁵

²⁴ Quimby, *The US Army in the War of 1812*, 958; Weigley, *History of the United States Army*, 142-143.

²⁵ Rossiter and Longaker, *The Supreme Court and the Commander in Chief*, 14-15, citing 12 Wheaton 19, 29-33 (1827). Italics added by Rossiter and Longaker.

Never again would state governors be on solid footing to reject a presidential request to call out the militia.

Conclusion

The War of 1812 was fought under the framework of the Constitution. Congress made the war official by approving the President's declaration of war, and continued to approve funding and manpower levels throughout the conflict. President James Madison worked with his Cabinet to formulate a strategy and executed his responsibilities as Commander in Chief throughout the war. In spite of the clear adherence to Constitutional practice, the war was far from an overwhelming success.

The current call for strict interpretation of the Constitution as a mechanism for reframing civil-military relations, ensuring the nation only fights widely popular wars and only fights as part of a coherent strategy, sounds good in principle, but might not yield the expected results. The Madison administration was one defining moment of civil-military relations. The staff mechanism for the Army was underdeveloped, Madison's cabinet was dysfunctional for large portions of the war, and clear coordination between Madison, his Secretary of War, and field commanders was often lacking. While those specific obstacles may have been overcome with the creation of organizations like the National Security Council and the Joint Staff as well as robust service staffs, the fact is, while organizations change over time, Constitutional roles and responsibilities do not.

Madison, members of his administration, and Congress fulfilled their Constitutional responsibilities. Madison provided foreign policy direction and guided strategic decisions. Congress endorsed his actions with a declaration of war and appropriated manpower and funds to fight against the British. Although both branches of government acted within Constitutional boundaries, the War of 1812 was not uniformly popular, which compromised strategy as the region richest in manpower and money refused to contribute to national efforts. Furthermore, even

though the desired outcome of the war—British recognition of American neutral rights and cessation of impressment—was clear, and the initial military strategy seemed well-suited to achieve those ends, the American strategy failed to adapt to domestic influences that compromised its effectiveness.

The contemporary argument recently advanced is that reigning in executive powers will ensure Congress has a chance to deliberate the questions of war and represent the interests of the population. As discussed in the introduction, both Strachan and Yingling make this point in recent editorials. Leading up to and during the War of 1812, Madison did set foreign policy guidance and eventually advocated for a declaration of war; however, at no time was he ahead of Congressional and party support. The faction inside of Congress known as the War Hawks, and other Republicans who represented the Southern and Western portions of the country, also believed that economic coercion had run its course and the only means to compel Great Britain to change its restrictive commercial behavior was through an invasion of Canada.

In spite of this Congressional support for war—some historians would say Congressional push for war—the war itself was not uniformly supported. Regionally, New England opposed the war. Ideologically, the Federalist Party and traditional Jeffersonian Republicans did as well. This lack of support hurt recruiting efforts and in the case of Massachusetts and other states, gave the governors motivation to defy the President's calling up of the militia. Although their refusals were grounded in state interpretations of the Constitution, those same qualms did not affect the governors of western states and territories.

The lesson to be drawn here is that while the Constitutional processes cannot guarantee wide-spread support, the level of support for a war will impact strategic options available to the country. In Madison's case, staunch opposition in the Northeast effectively denied him the best invasion route of Canada. The modern American experience in Vietnam

seems to imply that lack of support will erode a nation's will to continue fighting. The decline of support for operations in Afghanistan and Iraq has led to corresponding calls for troop reductions in those countries—a key factor in determining what can be done. So, while the study of the War of 1812 casts doubt on the correlation between Congressional involvement and ensuring public support for a war, it does underscore the relationship between public support and strategy options.

The second connection modern scholars have advanced is a correlation between Congressional involvement and sound strategy. According to Yingling, a Congressional deliberation about the need for war and mobilization of the militia (i.e. the National Guard) will ensure the nation makes decision to “prosecute carefully thought out war aims to a successful conclusion.”¹ Seemingly, interpreting the Constitution to require meaningful Congressional involvement, like declaration of war, will ensure the development of sound military strategy linked to clear political objectives. Again, events in the War of 1812 belie this assertion.

Madison's strategic aims revolved around taking Montreal or Kingston in order to seal off Upper Canada and force it surrender, thereby forcing Great Britain to make concessions to American demands. This strategy had been advanced as early as 1807. Congress widely supported the strategy and war aims, and passed measures to raise the authorized strength of the army and empower the President to use the militia. Congressional authorizations could not ensure mobilization. Manpower shortages plagued the United States for the duration of the war.

More importantly, in spite of spectacular failures in opening campaigns of 1812, there was very little strategic shift over the next two years. Although by the end of 1813, the western area of the Northern Theater and Lake Erie were secured, the main United States' effort

¹ Paul L. Yingling, “The Founders' Wisdom.” *Armed Forces Journal* (February 2010), <http://www.armedforcesjournal.com/2010/02/4384885>.

centered on Niagara and Lake Champlain as points of entry into Canada. While the later years did see an increase in relative importance of securing the Great Lakes, the underlying strategy of seizing Canada to force Great Britain's hand never wavered. In this case, political objectives and military strategy were inextricably linked; however, there was no alternate military strategy when it became evident that the United States lacked the manpower and materiel to fight the war they wanted to wage. This reality demonstrates that a Congressional declaration of war may be one indicator of political objectives; however, it is not a guarantor of sound strategy. There can be no substitute for thought, execution, and leadership to see a strategy through to a successful finish.

While many factors concerning the organization of American military forces have changed since 1812, the Constitution remains the touchstone for shaping civil-military relations in the United States. As an examination of how war is fought under the Constitution, the nation's first experience, the War of 1812, is an invaluable example of the effect factors other than the Constitutional framework may have on the course of a war. While Madison was very aware of his Constitutional limits and responsibilities and acted accordingly, the impact of the unpopularity of the war, the nature of political party ideology, as well as the friction and disunity of the administration and its wartime leaders also influenced the course of the war. These issues, like the Constitution, are enduring and will factor into future conflict. To assume that a strict adherence to the Constitution can transcend these types of issues is overly simplistic and naïve.

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